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WEEKLY REPORTER.

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## The Solicitors' Journal and Weekly Reporter.

LONDON, OCTOBER 30, 1909.

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All letters intended for publication must be authenticated by the name of the writer.

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### Current Topics.

#### The New Rules as to Lancashire Business.

WE PRINT elsewhere a set of new rules relating to business in Manchester and Liverpool which may be extended also to any other places which the Lord Chancellor may direct. Under ord. 36, rr. 17 and 18, a distinction is made between London and Middlesex business and business in the provinces in respect of notice of trial. Notice of trial for the metropolis does not operate for any particular sittings. The notice is given and the case set down, and it is taken when the course of business permits. In the provinces the notice operates for the first day of the following assizes, but rule 18A made special provision for Manchester and Liverpool, so as to allow the notice to operate for the 2nd, 3rd or 4th day of the assizes, where it cannot be given in time for the first. The rules now issued introduce a change which makes rule 18A unnecessary, and it is accordingly annulled. In future Manchester and Liverpool will rank with London and Middlesex in regard to notice of trial; that is, the notice will not operate for any particular assizes, but will be a continuous notice, and the case will be taken in its order in the list. The effect is to place Manchester and Liverpool business on the same footing as business in London, and the hearing of the lists will be proceeded with as often as there are judges available. The same plan may be applied to other places by the Lord Chancellor. It is possible that the change will have a very important effect in placing provincial business on the same footing as London business.

#### The Sittings of the King's Bench Division.

MORE THAN a fortnight has elapsed since the commencement of the sittings of the King's Bench Division, but the lists shew few signs of satisfactory progress, and complaints are made

by many practitioners that business is in a languid condition. Cases which upon the eve of the Vacation were not far down in the paper are still unheard, and the briefs in subsequent cases are of course undelivered. It is not reasonable to expect that sixteen judges should be equally endowed with energy, learning and ability, and those who fall behind their colleagues encounter sharp criticism. We are unwilling to join in these criticisms, but we cannot but think that cases are tried with more deliberation, and with less regard to the value of time, than in the days of judges who have passed away. The Long Vacation, the Easter, Whitsuntide, and Christmas Vacations would in any other office but that of a judge be considered extremely liberal, and it must be remembered that very little work is done on Saturdays; that the judges do not sit till 11 o'clock on Mondays, and that they occasionally on other days are released from their duties owing to the accidental failure of business. There are, of course, the sittings of the Central Criminal Court. But even if these sittings and those of the Vacation judges are taken into account, we have some difficulty in seeing how the time of sixteen judges is disposed of. Any arrangement by which the number of judges sitting at *nisi prius* could be permanently increased would materially promote the dispatch of business.

#### The Land Transfer Commission.

WE REMARKED last week that the circular issued by this Commission inviting evidence from the public appeared to have failed to produce any witnesses, and that the Commission were now allowing Mr. BRICKDALE to reply to and attempt to confute the evidence given against the system of compulsory registration of title—that is, to have the last word. Both statements were practically correct; if we are rightly informed, a single witness only responded to the invitation, and the Land Registrar is busily engaged in attempting to explain away the objections raised to his system. But though the proceedings of the Commission in the above respects, as well as in printing only the evidence given in favour of the system (to which we did not refer last week), have been somewhat unusual, it is not to be assumed that they indicate the slightest bias or unfairness on the part of the Commission. We learn from a source worthy of the highest confidence that Mr. BRICKDALE'S evidence was printed solely to enable the law societies to have before them the case they had to meet; that the invitation to the public was made as much in the interest of the objectors to the system as of its advocates, and that the recalling of Mr. BRICKDALE at the close of the evidence was necessary, since he could not be constantly summoned to answer the queries of the Commission after each hostile witness had given evidence; and it was also felt that in fairness he should be allowed an opportunity of explaining the portions of his evidence which had been attacked. Let, therefore, "suspicion sleep at wisdom's gate."

#### The Authority of Decisions.

FROM A recent expression of opinion in the Court of Appeal it might be inferred that a judge is bound to follow the decision of a judge of co-ordinate jurisdiction, whatever his own view may be. The point arose in *Re Fieldwick* (1909, 1 Ch. 1), where PARKER, J., had followed the decision of KEKEWICH, J., in *Re Ann* (1894, 1 Ch. 549). These cases referred to the liability of property passing under a general power of appointment by a married woman to satisfy, after her death, her contract made before 1893, without proof that she had separate property at the date of the contract. KEKEWICH, J., held in *Re Ann* that such property was liable. In *Re Fieldwick* this was overruled, but the Master of the Rolls said:—"The learned judge followed, and as a judge of first instance he was quite right in following, the decision of KEKEWICH, J., in *Re Ann* without expressing an opinion upon it." It is interesting to compare with this the judicial difference of opinion which led up to *Re Hadley* (1909, 1 Ch. 20) on property passing to the executor "as such." In *Re Treasure* (1900, 2 Ch. 648) KEKEWICH, J., held that it did not so pass; in *Re Moore* (1901, 1 Ch. 691) BUCKLEY, J., held that it did, and got over *Re Treasure* by saying the point need not have been decided there. In *Re Maddock* (1901, 2 Ch. 372) KEKEWICH J., stuck to his former decision and left the matter to the Court

of Appeal. Clearly it was then at large as far as the judges of first instance were concerned, and it is unnecessary to refer to the other six cases in which the judges of the Chancery Division gradually ranged themselves on the opposing sides. But it is clear that the passive following of a co-ordinate judge which was commended in *Re Fieldwick* was not adopted on the moot question of executors "as such." In fact, we take it, a judge of first instance is bound to exercise his own judgment on a point which has not yet been before a higher court, and his attitude to another judge's decision should be one of deference, and not of sequence. Of course, where a decision has been accepted for many years as a guide to conveyancing practice, the case is different, but then it will probably be regarded as incapable of reversal even by the Court of Appeal.

#### Our Judicial System.

IN THE current number of the *National Review* a "Law Reporter" indulges in an elaborate grumble at the failure of the Judicature Acts to simplify and cheapen procedure; and he is particularly severe on the Court of Appeal as compared with the old Exchequer Chamber. In his view the advantage of the latter tribunal was that it consisted, not of judges whose only business was appeal work, but of judges of first instance collected for the time being out of two of the common law courts to revise the decisions of the third. With this arrangement he compares the constitution of the present Court of Appeal, in which the judges take only appeal work, and in which, as a rule, the equity branch is made up of two equity judges and one common law judge, and in the common law branch the proportion is reversed. The foreign member the critic regards as out of place, and he quotes BRAMWELL, L.J., as saying: "As I know nothing of the subject before the court, and am hardly familiar with the technical language to which I have been listening, I can only express my respectful concurrence with the judgments which have been delivered." If, in fact, Lord BRAMWELL ever said this, it was hardly to his credit, and certainly no appellate judge would now venture on such a remark. A judge who has reached the bench can no more afford to be ignorant of either equity or common law than an ordinary practising member of either branch of the profession. There are specialists, of course, in particular branches of the law, and in the Court of Appeal, as elsewhere, deference should be paid to experts in that particular branch. But a judge cannot afford to profess ignorance of half the civil law, nor is there in the above respect any real objection to the constitution of the Court of Appeal. It is perhaps sometimes forgotten that it was the common practice in the old Court of Chancery for the Lord Chancellor to sit with common law judges as advisers, and it is difficult to suppose that in those days—the practice, we believe, lasted for over a century—common law judges were ignorant of equity. They knew equity well enough, and towards the end of the eighteenth century some were eager to introduce the system into the common law courts. The Judicature Acts a hundred years later effected what Lord MANSFIELD and Mr. Justice BULLER attempted in vain. But while we cannot agree with the strictures of the "Law Reporter" on the Court of Appeal, there is much in his paper, as to other departments of our judicial system which affords instructive reading; in particular as to the anomalous distribution of jurisdiction between the High Court and the county courts.

#### The Spread of Noxious Weeds.

THE WEEDS and Agricultural Seeds (Ireland) Bill, to prevent the spread of noxious weeds in Ireland, and to make provision for the testing of agricultural seeds, brought in by Mr. T. W. RUSSELL, is an interesting attempt to extend the liability of the occupiers of land for nuisance. In the case of *Giles v. Walker* (24 Q. B. D. 656), decided nearly twenty years ago, the liability of the occupier of land to periodically cut the thistles naturally growing on his land so as to prevent them from seeding was considered by a Divisional Court of the King's Bench Division. The defendant, a farmer, occupied land which originally had been forest land, but which had, some years prior to 1883, when the defendant's occupation of it commenced, been brought into culti-



vation. The forest land prior to cultivation did not bear thistles, but immediately upon its being cultivated thistles sprang up all over it. The defendant neglected to mow the thistles periodically so as to prevent them from seeding, and in the years 1887 and 1888 there were thousands of thistles on his land in full seed. The consequence was that the thistle seeds were blown by the wind in large quantities on to the adjoining land of the plaintiff, where they took root and did damage. In an action in the county court, the jury found that in omitting to cut the thistles the defendant had been guilty of negligence. Judgment was entered for the plaintiff, but on appeal the Divisional Court stopped the counsel for the defendant and set aside the judgment, holding that there was no duty as between adjoining occupiers to cut the thistles, which were the natural growth of the soil. The object of the Irish Bill is to amend this condition of the law. By clause 1 (1), the Department of Agriculture and Technical Instruction for Ireland may, with the consent of the council of any county, make an order declaring that throughout any county all plants of any species to which the section applies are noxious weeds for the purposes of this part of the proposed Act. (2) The plants to which the section applies are ragwort, charlock, coltsfoot, thistle and dock, and the order may include all or any of those species. By clause 2, where the department are satisfied that there are noxious weeds growing upon any land, they may serve upon the occupier of the land notice in writing requiring him to cut down or destroy the weeds, and if any occupier upon whom notice is served fails to carry out the requirements of the notice he is liable to a penalty. The object of the Bill—which might well be extended to England—is to put a stop to the mischief caused by idle or negligent tenants who allow their lands to be overgrown with noxious weeds, the seeds of which spread upon the property of their neighbours.

#### Is Death by Lightning an Accident under the Workmen's Compensation Act?

CLAIMS UNDER the Workmen's Compensation Act continue to increase, and one which recently came before the Brighton County Court presented features of novelty. The widow of a farm labourer who was killed by lightning on the 7th of July applied for compensation from the tenant of the farm. The deceased, at the time of the thunderstorm, was engaged in planting cabbages on an exposed part of the South Downs near Brighton, and it was contended, on behalf of the claimant, that it was necessary that the cabbages should be planted when the ground was wet; that the soil was naturally deep and heavy, affording an attraction to lightning; and that the deceased, while crouching down and seeking to obtain any shelter that might be available, would be an attraction for the electric fluid. It would seem that upon these facts two questions arose: First, was the death of the claimant's husband caused by an injury received through an accident? Secondly, if the answer to the previous question was in the affirmative, did the accident arise out of, and in the course of, his employment? With regard to the first question, if we take the definition of accident as "anything that happens without foresight or expectation, an unusual event, which proceeds from some unknown cause, or is an unusual effect of a known cause, a casualty, a contingency" (Murray's Oxford Dictionary, "Accident"), we may reasonably come to the conclusion that the death by lightning was a death by "accident." The more important question remains—Did the accident arise out of, and in the course of, the deceased man's employment? Could it be said that but for the labour in which he was engaged, and but for his presence on the land of his employer, there would have been no accident? The county court judge held that it had not been shown that the deceased was subject to any special risk greater than that of any other person who might have happened to be exposed to the storm, and that consequently it could not be said that the accident arose out of his employment. We see no reason for dissenting from this decision. Death from lightning is tolerably common, but the reason why one man is struck by the electric fluid in preference to others in his immediate neighbourhood is still somewhat obscure, and cannot easily be referred to any particular employment.

#### Void and Voidable Marriages.

WHEN a marriage is either declared void or discovered to be void, questions arise with respect to the property rights of the parties, if any gift or settlement has been made on the occasion of the marriage ceremony being performed. The subject of the effect on a settlement of a marriage being declared void was dealt with in these columns on the 5th of December, 1908 (53 SOLICITORS' JOURNAL, 93), and we then said: "The true rule appears to be that a marriage settlement does come to an end when the marriage is void (and not merely voidable), and a decree is made declaring the marriage null or void, but that the settlement does not come to an end when a marriage, originally voidable only, is annulled or dissolved." Marriages, in fact, which are not really, or are no longer, marriages may be classified either as void and voidable, or else as dissolved and annulled. Notwithstanding the dictum of the Court of Appeal in *Dormer v. Ward* (1901, P. 20), the better classification seems to be into void and voidable where property rights are concerned. This is illustrated by a recent case before Mr. Justice WARRINGTON: see *Dunbar v. Dunbar* (Times, October 22nd). The marriage there had been declared null. A gift had been made by the husband to the wife, which ordinarily would have constituted an "advancement" to her, a house having been purchased by him and conveyed into their joint names. The wife now, after the decree for nullity, claimed to be entitled as joint tenant. She was met with the defence that, the marriage having been declared a nullity from its inception, the doctrine of advancement had ceased to apply, and she was to be considered merely as a trustee for her former husband of her undivided moiety. But it was held that the lady was entitled to succeed, and that there was no distinction between dissolution and nullity for this purpose. The annulled marriage was voidable only, and but for the decree would not have been void. Thus, the *ratio decidendi* of the judgment in this case is that the true distinction is between void and voidable marriages, and not between dissolved and annulled marriages. Where a marriage is absolutely void, and, in fact, no marriage at all, different considerations altogether may apply, and a gift to the so-called wife may sometimes be upheld merely on the ground that it is a transfer of property completely vested in the donee. Of this an illustration is afforded by *Ayerst v. Jenkins* (L. R. 16 Eq. 275), a decision of Lord SELBORNE in 1873. Where there is not, and never has been, any real relation of husband and wife, there can, of course, be no question of advancement.

#### The Intricacy and Difficulty of Criminal Procedure in the United States.

MR. CHARLES W. MORSE, a wealthy American speculator, was tried some time ago before Mr. Justice HOUGH, of the Supreme Court of New York, on charges of misappropriating money of the National Banking Association and making false entries in the books of the bank with respect to the ownership of certain stocks and shares. He was convicted and sentenced to fifteen years' imprisonment, and has since appealed to the United States Circuit Court of Appeals on the ground of misdirection by the judge who tried the case. The appeal has been dismissed, the court sustaining the verdict and upholding ten of the fifty-three counts on which the defendant was convicted by the jury. Some observations which were made in the judgment of the court are worthy of consideration by those interested in the criminal procedure of this country. The court accept the view of the defendant's counsel, that a jury was not a proper body to deal with so complicated a case. "If the jury," they say, "experienced the same difficulty as this court in adapting the voluminous proof to the various charges they must have found the task a most arduous and perplexing one. To meet a multiplicity of charges depending upon technical knowledge requires the employment of experts and the outlay of large sums of money, which in the case of a poor man might almost amount to a denial of justice. These considerations, if presented to Congress, may induce some action for the amendment of the law, but as it now stands, there seems to be no limit to the number of counts which a person accused of similar banking offences may be required to meet." The court, in dealing with the objection that there had been a misdirection by the judge,

go on to say: "In an unusually protracted trial, depending upon a wilderness of figures, and during which a vast number of complicated transactions were investigated, it is not unnatural that mistakes should have been made, neither is it surprising that judges removed from the excitement of the forum, who have time to examine the events of the trial as they appear in cold type, should have discovered some rulings which may be open to criticism, but we are convinced that no material error has been shewn." English lawyers who are familiar with the investigation of mercantile frauds will find in their experience much to support the opinion of the American court.

#### Non-political Attorney-Generals.

It is stated that, after being only two days in office, the Labour Ministry formed in Tasmania has resigned. No member of the party possessed the legal qualifications for the post of Attorney-General. We may assume from this statement that there is nothing in the Constitution of Tasmania to render the office of Attorney-General non-political. Those who are familiar with the English Parliamentary Debates are aware that the Attorney-General possesses, as an almost invariable rule, a seat in the House of Commons, and renders advice and assistance to the different departments of the Government in the discussion of the Bills introduced by them, and that he is also prepared on occasion to answer questions affecting the Department of Justice. But these duties are regulated by the usage of Parliament. The definition of Attorney-General in the legal text-books is a law officer of State appointed by letters patent and selected from the King's Counsel, who is the only legal representative of the Crown in the courts. His duties are to exhibit informations, to prosecute for the Crown in criminal matters, to conduct proceedings in revenue causes, and generally to appear and act in all legal proceedings, and in all courts, where the interests of the Crown are in question. These legal duties might, of course, be transacted by a non-political officer who does not retire upon a change of the Ministry, and it will be remembered that, until Sir HENEAGE FINCH was appointed Attorney-General in 1670, no member of the House of Commons appointed to this office was allowed to retain his seat. In some of the principal colonies attempts have been made to render the office of Attorney-General non-political, on the ground, amongst others, that in the conduct of state prosecutions the interests of justice are jeopardized by the combination of policy and law in the persons who conduct state prosecutions.

#### The Origin of the Attorney-General.

THE POSITION of the Attorney-General as the chief law officer of the Crown is familiar enough in modern times, and from the account of the origin of the office which is given by Mr. HUGH BELLOT in an article in the current number of the *Law Quarterly Review*, it seems that the office has been held singly since the year 1472, but before that date the attorneyship to the King was an office which might be held by several at the same time, though the persons so appointed are distinguishable from the attorneys whom private individuals appointed to represent them at law. An attorney in a suit was originally on a footing similar to that of an attorney acting as agent under a power. He only appeared in court in the absence of his principal. The appointment was made in court, and the attorney could only be removed by leave of the court. Later, an attorney could be appointed, not only for a particular case, but for suits generally, and hence the phrase "attorney-general," which is found in a certificate signed by the four attorneys-general of the Duke of NORFOLK in his banishment in 1398, and which is introduced by SHAKESPEARE in *Richard II.*, act ii., sc. 1. A further step in the development of the attorney as a legal personage was taken when attorneys were required to have a professional qualification. "Attorneys-at-law," says Mr. BELLOT, "did not constitute a close professional class till the fifteenth century," but meanwhile the distinction between counsel and attorneys was becoming established. "At the commencement of the Year Books"—in 1292—"it is clear that if the client was absent he was represented as a rule by counsel and attorney; if he were present by counsel only without the intervention of an attorney." Thus the attorney more especially represents the client, and the plead-

ing is in general left to counsel, whether serjeants or apprentices. But when the King appeared by attorney, as in practice he was bound to do, the attorney took a different position and prosecuted the suit as counsel. Mr. BELLOT quotes numerous instances in which there are different attorneys appearing and carrying on suits for the Crown at the same time in different places. There were three or four towards the end of the reign of EDWARD I., who received an annual payment of £20. And this multiplication of the office continued for about two centuries, each attorney being appointed generally. Towards the end of the time the appointment is made for life, and the number of joint occupants of the office diminishes. Then the Solicitor-General appears on the scene, so called because he was more concerned with Chancery practice. Mr. BELLOT sums up the matter by saying: "From one out of many King's Counsel, the Attorney-General became the first and only King's Counsel, and so head of the English bar."

#### Contribution between Wrongoers.

THE DOCTRINE laid down in *Merryweather v. Nixon* (8 T. R. 186), that, as between joint wrongoers themselves, one who has been sued alone and compelled to pay the whole damages has no right to indemnity or contribution from the other, was criticized by some of the law lords who took part in the decision in *Palmer v. Wick and Pulteneytown Steam Shipping Co.* (1894, A. C. 318), in which it was held that no such rule exists in Scotland. Lord HERSCHELL, L.C., said, however (p. 324), "It is now too late to question that decision in this country." The Court of Appeal for Ontario, in *Sutton v. Town of Dundas and Others* (17 Ontario Law Rep. 556), had recently occasion to consider this law in a case where judgment had been recovered against two of the defendants, a town corporation and an electric company, for damages caused by contact with a live wire in a street of the town. At the trial it appeared that the damage was due to separate acts of negligence on the part of the two defendants, the combined effect of which was to bring about the result. It was held that the corporation was not entitled to common law contribution or indemnity from the electric company, and that the rule against contribution between wrongoers has not been qualified to the extent of entitling one who is himself a wilful or negligent wrongoer to indemnity from another involved with him in causing the injury or wrong in respect of which judgment had gone against them. Mr. Justice OSLER, in giving judgment, takes occasion to observe that he thought the Scottish law on the subject was the more reasonable, but that the court could not introduce it by judicial decision.

#### Value of Land Over Which There is a Public Right of Way.

PART of the definition of a highway, or a passage upon which all the members of the public are entitled to pass and repass, is that, subject to the right which has been conferred on the public, the owner retains his right of property in the land. The inexperienced law student has some difficulty, after reading this definition, in seeing how this owner's right of property can, in the absence of minerals, have any appreciable value; but he finds, after reading further, that there may be a dedication of a way subject to the right of the owner of the soil to plough it up periodically in due course of husbandry, and that the owner may reserve the right of putting up gates, if reasonably necessary, for the use of his farm. Evidence of the value of the landowner's residuary rights was furnished by the recent sale by auction of a freehold at Kew, between the Thames and the Green, which a purchaser would be quite unable to develop in the ordinary way, for it happened to be a roadway over which there was a right of way, and it was therefore impossible to erect any building upon it. It is stated, however, that as the land was close to the new bridge at Kew, and immediately opposite to the steps leading to and from the bridge, the roadway would certainly prove of great value as an advertising station. The ingenuity of advertising agents is great, and it may be not beyond their powers to give value to an interest in land which would otherwise be struck with sterility.



### The Longevity of Solicitors' Firms.

WE REFERRED last week, with reference to Mr. COLLYER-BRISTOW's death, to the pedigree of the firm of Collyer-Bristow, Curtis, Booth, Birks, & Langley, extending in unbroken succession of partners over somewhere about 160 years. Another remarkable instance of longevity—remarkable in several ways—has come to our knowledge and is recorded at the Law Society, namely, that of Messrs. Janson, Cobb, Pearson, & Co. The business was first established in 1728, over 180 years ago, at Basinghall-street, and at any rate since 1763, it has been carried on by a succession of partners, save from 1774 to 1780 when it was carried on by a surviving or continuing partner alone. From 1866 down to 1900 the business was carried on at Finsbury-circus, and since the last mentioned year at College-hill. Mr. F. H. JANSON, the present head of the firm, is admittedly the oldest solicitor in England taking out a certificate, and he joined the firm (then Messrs. Smith, Bayley, & Janson) in 1836—no less than seventy-three years ago. This is certainly a remarkable record.

### The Law Society's "Moot."

THE GOVERNMENT may be relieved to hear that Mr. ARTHUR COHEN, K.C., after hearing arguments by students of the Law Society on the question whether the collection of taxes on the strength of a resolution only of the House of Commons was legal, positively declined to deliver judgment, and the tax collectors are therefore left at liberty to continue the practice denounced as illegal on behalf of the plaintiffs in the proceedings. The subject selected for the first "moot" was certainly an interesting one, and the question appears to have been argued with becoming gravity and zeal by the law students. We are only sorry that the Court should have found itself unable to pronounce a decision. Instances of declining jurisdiction are not, however, uncommon in co-ordinate Courts.

## The New Rule for Service Out of the Jurisdiction.

(ORD. 11, R. 8A.)

THERE appears to be some controversy as to the effect of the new rule extending the powers of the court to direct service of proceedings in foreign countries. Inasmuch as in one view it is an exceedingly important innovation, we propose to consider what is the true construction. The rule is ord. 11, r. 8A (R. S. C. Aug. 1909, r. 1), and is as follows:—

"The court or a judge may direct that any summons, order, or notice shall be served on any party or person in a foreign country, and the procedure prescribed by ord. 11, r. 8, with respect to service of notice of a writ of summons shall apply to the service of any summons, order, or notice so directed to be served."

It may be assumed that the new procedure is intended to meet some practical difficulties which have arisen; and it is a sound canon of interpretation of a statutory rule to consider what was the state of the law before; what were the defects of that law, and how far the new rule effectively deals with them.

Shortly the previous law was this.—Order 11 is a complete code of service out of the jurisdiction; all former practice is superseded by it; and the court can only direct service out of the jurisdiction in cases which come within it (*Re Eager*, 22 Ch. D. 86; *Re Cliff*, 1895, 2 Ch. 21). The only cases which come within it are writs of summons and proceedings which are equivalent to such writs, i.e., counterclaims and third-party notices; and these are dealt with by service or service of notice according as the party to be served is a British or foreign subject. And, by rule 8, shortly stated, if notice of a writ is to be served in a foreign country which has made a convention with this country to that effect, then the notice is to be served through the Foreign Office. Such countries are here referred to as "foreign-office countries," and are at present only Germany and Russia. The defects of this state of the law were many and troublesome, from the point of view of English procedure. We may indicate some of them.

In the first place, many proceedings are initiated otherwise than by writ, e.g., by originating summons, motion or petition: none of which could be served in a foreign country. The consequence has been that often the simpler and cheaper remedy of originating summons has had to be foregone, and a writ issued, in actions for administration of estates or trusts, foreclosure or redemption of mortgages, and other like matters, where a necessary defendant is abroad, for no other reason than that service abroad is required, possibly upon only one of several defendants.

In the second place, there is a whole class of actions, including administration, partition, debenture-holders' actions, &c., where notice of the judgment has to be served on persons not parties to the action but beneficially interested, and after service bound by the judgment. Service of that notice has not been possible under order 11, and many a deadlock would have arisen but that the courts have been driven to hold that any informal notice will suffice to justify their proceeding with administration and distribution of property under their control: and have allowed notice by registered letter or otherwise. But this is at best a way of necessity; it may almost be called a subterfuge.

In the third place, there was no provision for service abroad of orders requiring personal service. A defendant abroad might be served with a writ, and might either appear or make default. If he appears, he gives an address for service at which all ordinary summonses, orders and notices may be served; if he makes default, provision is made for filing in lieu of service. But an order for an injunction or a mandatory order requiring personal service remains ineffective, even where some effect might be given to it by sequestration of property in this country, on disobedience after service. And this difficulty is felt no less in foreign-office countries than in others.

To this state of things the new rule has to be applied. "The court may direct any summons, order or notice to be served on any party or person in a foreign country." If the rule had stopped there, it would seem that there could be no doubt. Here is provision for almost everything that was lacking—originating or other summonses, notice of originating or other motions, notice of judgment on persons not parties, orders requiring personal service, or other orders. The only matter not expressly provided for is a petition; but possibly the court might direct notice of a petition to be served abroad.

But it appears to be suggested in some quarters that the latter part of the rule cuts down its application, and confines its operation to foreign-office countries under rule 8. The words are "and the procedure prescribed by rule 8 shall apply to the service of any summons, order, or notice so directed to be served."

There seem to be three arguments in support of this narrower construction:

(1) The process of service through the foreign office is made to apply to all summonses, &c., directed to be served; and this process cannot be applied in other countries because it does not exist. (2) No provision is made for the process of service in other countries, and therefore it cannot be effective. (3) The new rule is not numbered 9, as it might have been; but 8A, as if it were a corollary only to rule 8.

We conceive that there are sufficient answers to all these arguments.

As to (1)—the foreign office process is not made applicable to all summonses, &c., but to any summons, &c. And so much was necessary to make the new rule effective within those countries which raise these juridical and diplomatic difficulties about process of foreign service upon their own subjects. Rule 8 only supplies special machinery for service, after leave to serve has been given: if leave has been given to serve in such a country, then the machinery is to apply; but if the leave has been given for another country rule 8 does not apply at all. Rule 8A is quite consistent with a similar special and general applicability to foreign office countries and other countries.

As to (2)—if the argument were sound, it would also apply to service of a writ, or notice of a writ, in other countries. No provision is made by order 11 for the method of service of a writ in other

countries, or indeed in the foreign-office countries. And the only provision for service of notice of a writ is that it shall be served in the same manner as a writ—which is not specially provided for. For the purpose of proceedings in the English courts it is tacitly assumed that a writ is to be served abroad as it is in England. May it not also be tacitly assumed that service of a summons, order, or notice may be served abroad as in England? No juridical or diplomatic objection has been taken in the case of writs or notices of writs in other countries; nor is it likely to be taken in the case of other processes. It may, however, be conceded that if notice of these processes is to be served on foreigners in lieu of the documents themselves, it would have been more prudent to have made some express provision, following the precedent of rules 6 and 7 of the same order. But it would seem that, in the absence of such provision, the ordinary English procedure should suffice for the English courts. Further, a direction of the court has to be obtained, and the order directing service may, in case of doubt or difficulty, provide for the method of service.

As to (3)—the only answer is that it is not important, and was probably the result of inadvertence in not observing that rule 8 was the last rule of order 11.

It appears to be also alleged in favour of the narrower construction that the rule was in fact made in response to a demand for a process of service of orders for injunctions in a foreign-office country. Whether this be so or not, we cannot say; but, if so, the immediate motive or object of any persons who may have applied for a new rule must, it is submitted, be irrelevant to the interpretation of it; and in fact the rule is certainly extended beyond that object. And it may be asked with some cogency—Why should the Rule Committee, faced with all the defects of the existing law which affect all foreign countries, make a rule for the special case only of those which we have called foreign-office countries? There would seem to be no reason, and unless the rule is overwhelmingly precise in that direction, it would surely be wrong so to construe it. Far from being precise in that direction, it is at best a little ambiguous, and it is submitted that the true construction of rule 8A, as incorporating rule 8, is as follows:

"The court or a judge may direct that any summons, &c., shall be served on any party or person in any foreign country; and [if the service is directed to be made in a foreign country to which rule 8 applies, then] the procedure prescribed by rule 8 for service of notice of a writ of summons shall apply to the service of any summons, &c., so directed to be served."

This reconciles the whole of order 11, and makes provision for the defects in the existing law, which may not be complete, but is at any rate a very important amendment. The question here raised is of no small moment, and we shall welcome any further contribution which may tend to its solution.

## Notices to and Inquiries of Trustees.

THE doctrine that an assignee of an interest in a trust fund is liable to lose his priority unless he gives notice of the assignment to the trustees doubtless works well from the point of view of intending assignees, but it has been productive of no little inconvenience and risk to trustees, and the difficulties which may arise in consequence of answering inquiries as to notice of assignments have frequently to be considered by trustees and their advisers.

The reason for allowing notice to the trustees to affect the priority of incumbrancers has been rested on the loss which may be caused to a subsequent assignee, if the *cestui que trust*, after making a first assignment, is allowed to remain as apparent owner. The *cestui que trust*, said PLUMER, M.R., in *Dearle v. Hall* (3 Russ. p. 13), "though he has in fact parted with his interest, appears to the world to be the complete equitable owner, and remains in the order, management, and disposition of the property as absolutely as ever: so that he has it in his power to obtain by means of it a false and delusive credit." This is prevented by the notice, "whereby the legal holders are converted into trustees for the new purchaser, and are charged with responsibility towards him; and the *cestui que trust* is deprived of the power of

carrying the same security repeatedly into the market" (p. 12). It was natural, when the effect of notice was stated in this form, to conclude that the giving of the notice was a step in completing the title of the assignee, and this view was approved by Lord LYNTHURST in *Foster v. Cockerell* (3 Cl. & F., p. 476). A party, he said, till he gave notice to the trustees had not done everything to complete his title; and no doubt for practical purposes this is so. But in *Ward v. Duncombe* (1893, A. C., p. 392) Lord MACNAGHTEN took exception to this form of expressing the rule, and pointed out that notice was not necessary to complete the title, though it was necessary to protect the assignee. "Notice," he said, "does not render the title perfect. Notice was not even a step in the title until it was made so by the decision in *Foster v. Cockerell*. Apart from the rule in *Dearle v. Hall* (*supra*), an assignee of an equitable interest from a person capable of disposing of it has a perfect equitable title, though the title is no doubt subject to the infirmity which attaches to all equitable titles. And that infirmity is not, and cannot be, wholly cured by notice to the trustees."

The last remark seems to contemplate the case of a notice given to a trustee subsequently ceasing to be effective by the death of the trustee. This happened in *Timson v. Ramsbottom* (2 Keen, 35), where notice had been given to only one of the trustees, and, after the death of that trustee, a subsequent assignee gave notice to the existing trustees. It was held that the latter had acquired priority. In *Ward v. Duncombe* (*supra*), also, there was notice to only one trustee, but notice of the subsequent assignment was given to both trustees during his life. The position, therefore, was that the first assignee had already acquired priority during the life of the trustee to whom he gave notice, and he did not lose this priority on his death. At the same time *Timson v. Ramsbottom* was adversely criticized, and in the later case of *Re Wasdale* (1899, 1 Ch. 163) STIRLING, J., declined to extend it to the case where an assignee had given notice to all the trustees, who subsequently died. The effect of this notice was not displaced by a notice given by a subsequent assignee to the new trustees. "It would be imposing," said the learned judge, "an unreasonable burden on assignees to hold that they are under an obligation to give notice to every new trustee, so as to be treated as guilty of neglect to take reasonable precautions if they omit to do so."

But in fact, as was held in *Re Wallas* (1904, 2 Ch. 385), the question of priority does not depend upon negligence in the first assignee, but upon the mere fact of service of notice by the subsequent assignee. Consequently, although the delay by the first assignee is due to the circumstance that the fund is not yet in existence, or that there is no legal holder of it, so that no negligence can be imputed, yet priority is gained by an assignee who gives the first notice when notice is possible.

Notwithstanding the possible doubt as to *Timson v. Ramsbottom* (*supra*), it seems that that case must for the present be accepted, and it was treated as good law by BYRNE, J., in *Freeman v. Laing* (1899, 2 Ch. 355), and was followed by KEKEWICH, J., in *Re Phillips' Trusts* (1903, 1 Ch. 183). Whatever, therefore, may be the correct way technically of stating the nature of the title obtained by an equitable assignment, it is clear that the title is precarious unless notice of the assignment is given to all the trustees at the date of the assignment; and if this is done, then the protection thus secured is not lost by a subsequent change of trustees, even though none of the former trustees are left. But though the first assignee does not in such a case lose his priority, he will suffer from the change if the new trustees pay away the trust fund without notice of his assignment, for in such a case they cannot be charged with any breach of duty: *Hallows v. Lloyd* (39 Ch. D. 686). It should be added that notice to the trustees only gives priority over assignments of which the assignee giving the notice has himself no notice, actual or constructive.

So far the matter has been looked at from the point of view of the assignee who gives notice and thereby gains priority. But it of course follows that he must first inquire whether notices have already been given by other assignees, and since notice to one trustee will be effective as long as he remains a trustee, the inquiry must be made of all the trustees. Whether the trustee



is bound to answer, and what is the effect of his answer if he makes one, raises the important questions on which *Low v. Bouverie* (1891, 3 Ch. 82) is the leading case. Before that case the ruling authority was *Burrowes v. Lock* (10 Ves. 470), where it was held that a trustee who answered an inquiry as to incumbrances incorrectly was liable on the ground of misrepresentation if he had had notice of incumbrances, although he alleged that he had forgotten such notice. But this decision was undermined by *Peck v. Derry* (14 App. Cas. 337), and misrepresentation is not a ground for liability unless it is intentional. The only way of making the trustee liable, apart from fraud, appears to be on the ground of estoppel; and if he makes a clear statement in answer to an inquiry, he may be prevented from subsequently alleging a state of facts inconsistent with that statement; that is, although by reason of the existence of a prior notice he may have to pay the fund to the assignee who gave it, yet, since he cannot allege against the second assignee the notice which he has stated not to exist, he will be bound to make the fund good to such second assignee. This is the result of *Low v. Bouverie*. But the same case shews that the trustee is not bound to make any reply at all, and it follows from what has just been said that if he does make any reply, he can avoid liability by expressing it in such language as to preclude any possibility of estoppel.

The first point was clearly put by LINDLEY, L.J. The duty of a trustee is limited, as regards inquiries, to giving information to his *cestui que trust* of the state of the trust funds. "The duty of a trustee is properly to preserve the trust fund, to pay the income and the corpus to those who are entitled to them respectively, and to give all his *cestuis que trust*, on demand, information with respect to the mode in which the trust fund has been dealt with and where it is." But, as Lord LINDLEY added, "it is no part of the duty of a trustee to assist his *cestui que trust* in selling or mortgaging his beneficial interest, and in squandering or anticipating his fortune; and it is clear that a person who proposes to buy or lend money on it has no greater rights than the *cestui que trust* himself." Consequently, the trustee, in answer to an inquiry as to incumbrances, is not bound to make any reply at all. If he does make a reply, then he must carefully word it so as to shew that it is not intended to be a direct assertion that he has received no notice of assignment, but merely a statement as to his own recollection. The difference is clearly shewn in the solicitors' letter quoted in *Porter v. Moore* (1904, 2 Ch. 367, at p. 370). There the trustee's solicitors wrote declining to give an assurance as to non-receipt of notices, but adding, "we have no hesitation in saying that we have no recollection of having received any notice of charge effected by" the *cestui que trust*. In that case the intending assignee had in the meantime obtained from the trustee himself an assurance of non-receipt of notice and he relied on this as an estoppel, but SWINFEN EADY, J., declined to allow this effect to it on the ground that the assignees had concealed the fact that their request for information was under the consideration of the trustee's solicitors.

We have already quoted from *Low v. Bouverie* the statement that the trustee is bound to furnish information to his *cestui que trust* as to the state of the trust property, and this, of course, is a well-recognized obligation of a trustee: see *Ottley v. Gilby* (8 Beav. 602). A recent example of the enforcement of it is afforded by *Re Dartnall* (1895, 1 Ch. 474). If there has been failure on his part to supply the information, and no undue hurry on the part of the *cestui que trust* to commence proceedings, an order will be made against him with costs. But that case is also a warning against too great precipitancy on the part of the *cestui que trust* in adopting a hostile attitude, and before he applies to the court he must make sure that the trustee intends to withhold the required information. In *Re Skinner* (1904, 1 Ch. 289) there had been an indefensible refusal to account, and the costs were thrown on the trustees.

The Lord Justice Clerk and a jury in the High Court at Edinburgh, on Monday, says the *Evening Standard*, commenced the trial of David Brown, coal exporter, of Glasgow, in a private prosecution at the instance of Messrs. J. & P. Coats, Paisley. The case is stated to be the first private prosecution in Scotland for about 300 years, the Lord Advocate refusing to concur in the prosecution.

## Lady St. Helier on Lawyers.

THE position which Lady St. Helier has held in society naturally prevents her recently published *Memoirs* from being concerned mainly with the people and the interests connected with her late husband's profession, but the book contains not a few entertaining passages about lawyers on the bench and off it. The short chapter which she devotes to "English Lawyers of Distinction" naturally opens with an account of the manner in which Sir FRANCIS JEUNE—to use the more familiar title—made his way at the bar. He took the prudent step of familiarizing himself with the practical side of law by going for some months just after his call into the office of the firm of Baxter, Rose, & Norton, where his abilities obtained recognition from Mr., afterwards Sir PHILIP, ROSE. This was the means of bringing him into speedy practice when he commenced the proper work of his own branch of the profession, but he found time to accept work on a commission to Australia to obtain evidence in the Tichborne case. Like all successful lawyers he worked extremely hard. "I can never," says Lady St. Helier, "remember a day when he was not at chambers early in the morning, not returning until late, and during the Parliamentary session"—his practice included Parliamentary work—"he hardly ever had an idle moment." This, of course, is no uncommon experience. Sir FRANK LOCKWOOD's two sketches which are given in this chapter recall the unhappy termination which this strenuous devotion to work may bring. His sudden collapse robbed the bar of its most genial member. "No man," says Lady St. Helier, "was probably ever more popular in his profession or more beloved among a host of private friends."

Lord WESTBURY, to go back to an earlier day, is brought on the scene for a reason by no means legal or judicial. He was hoping to win the hand of a lady who was a near relation of Miss MACKENZIE—as Lady St. Helier then was—and she shared the pleasures with which he sought to gain acceptance for his suit. "We used to dine at his house in Lancaster-gate, and he took us to the opera, and was always planning some scheme for our amusement." But the match was not to be, and these festivities came to an end. "I was sorry when the final decision was arrived at, and he received his *congé*, and I confess I missed him." Lord WESTBURY is not always portrayed in so amiable a light. Lord SELBORNE is quoted as another example of the high pressure at which lawyers live. "He once told me that there were weeks during the term, while he was in the House of Commons, when he was working at such high pressure that he hardly slept at all, and yet he never seemed fagged or tired, and his mind was as keen and fresh at the end of the week as it was at the beginning." It is said, if we remember rightly, in his "Life" that on one occasion he worked from Monday till Saturday without sleeping. But then he never let work encroach on Sunday. Sir GEORGE JESSEL was a frequent and welcome visitor. "Nobody could be more amusing than he when he unbent and expounded his opinion, to anyone who was sympathetic, about the public men of the day, and especially his own legal brethren." We fear the innuendo is too plain—"Conscious as we are of each other's infirmities," as Lord BOWEN suggested for the judges' address to the late JEUNE.

Mr. BENJAMIN was a great friend of Sir FRANCIS JEUNE's, and is described as one of the most brilliant lawyers of the day. He came to England as the hero of a lost cause, and "was called to the bar and took silk within the shortest period ever known." An amusing story is told of his escape from America after the surrender of the Confederate army. Exhausted from wandering in the forests in his endeavour to find a way to the coast, he sat down under a tree to rest. He was startled by hearing a voice, "Three cheers for JEFF DAVIS." When it was repeated and no one appeared, he feared his strength was giving way and that it was a delusion. Then a large white parrot came out of the tree above him, and shewed that he must be near a friendly house. The parrot, in fact, guided him to shelter, and he was taken in and assisted to the coast, whence he effected his escape to France.

A reference to Maitre LABORI's visit to England, fresh from the defence of DREYFUS, brings us to more recent times. "He was the most delightful, joyous person one could imagine—young, vigorous, and full of life, and immensely gratified by the admiration that his conduct of the DREYFUS case had inspired in England. 'I do not think,' adds Lady St. Helier, 'any Frenchman ever enjoyed his visit to England more than M. LABORI.' Lord COLERIDGE, who was Lord Chief Justice when she first knew him, is described as a most agreeable companion. 'He seldom spoke bitterly, unkindly or harshly of anyone; but there were times when you felt the claws through the velvet glove, and detected the sharp inflexion in a voice which was generally soft and gentle.' Story-telling was his strong point in society. 'I do not think he liked a rival raconteur, but

\**Memoirs of Fifty Years.* By Lady St. Helier (Mary Jeune). With illustrations. Edward Arnold.



he was very patient and amiable to those who tried to emulate his unequalled gift and extraordinarily retentive memory.

The chapter closes with a graceful allusion to Lord HALSBURY, to whom Sir FRANCIS JEUNE owed his appointment to the bench, and to Lord JAMES OF HEREFORD, "who made, to his lasting renown, the greatest sacrifice that could be demanded of an eminent lawyer at the head of his profession when he refused the chancellorship offered him by Mr. GLADSTONE." To select one chapter, and that relating to a special class, of course gives no idea of the scope of Lady ST. HELIER's book, which is concerned rather with political and social life than with the law, and is specially interesting for its account of her Highland ancestry and her early life in Scotland. But we need hardly apologize for singling out the impressions she has written down on some of the eminent lawyers of the later Victorian era.

## Reviews.

### "Key and Elphinstone."

KEY AND ELPHINSTONE'S COMPENDIUM OF PRECEDENTS IN CONVEYANCING. NINTH EDITION. By Sir HOWARD WARBURTON ELPHINSTONE, Bart., M.A., one of the Conveyancing Counsel to the Court; FREDERICK TRENTAM MAW, B.A., LL.B., and GILBERT HARRISON JOHN HURST, M.A., Barristers-at-Law. In Two Vols. Sweet & Maxwell (Limited).

The history of this book, which has now reached its ninth edition, is one of continual growth in utility, and, as a consequence, continual increase in appreciation by the profession. Originally based on a large collection of precedents got together by the first editors, it saw the light at a time when Davidson was falling out of date; it attracted at once the regard of skilled conveyancers by its neatness of expression, the condensed law in its notes, and its novel form of arrangement of clauses preceding each set of forms. But, excellent as was this last-mentioned feature, it was supposed for some time to militate against the general use of the book. You could not, it was said, set a clerk to pick out a draft from the detached clauses. This was somewhat absurd, for any clerk of moderate intelligence could, by means of the careful references to the clauses contained in each precedent, without difficulty construct an ordinary draft. During the life of that brilliant conveyancer, Mr. Key, no alteration was made to obviate the impression above referred to; with his many admirable qualities there was combined a quiet stubbornness which, we fancy, rendered him unwilling to depart in any way from the scheme which formed the basis of the book. When, however, the moulding of the work came exclusively into the hands of Sir Howard Elphinstone, he wisely added a full and complete form or two to many of the sets of precedents, and from the time that change was made there was never any question of the adoption of the book by the profession in general.

As statutory changes occurred, such as the Settled Land Acts and the Land Transfer Act, 1897, carefully framed precedents were at once added to meet the wants of practitioners; the learned and practical notes were added to and expanded, but always on the double distilled essence system; and, as the Court of Appeal lately remarked, care was taken to provide forms calculated to obviate difficulties occasioned by decisions. The book, in fact, has always been well kept up to date. This characteristic is strongly marked in the present edition. For instance, the way in which the Limited Partnership Act is dealt with in the Partnership section is a marvel of care and ingenuity, and must have involved great labour and consideration. We observe, also, the insertion at pp. 449, 500, of some very well drawn clauses for insertion in conveyances of registered land; while the useful note in the last edition as to statutory forms of conveyance has been added to and converted into an introductory note, comprising also the note as to searches.

One peculiarity of former editions was the occasional separation from each other, in the forms of clauses, of provisions which in drafts necessarily follow each other. This has been altered in the present edition, and great attention has been obviously bestowed on the arrangement throughout the book of the separate clauses. For instance, the clauses under "Settlements (Real)" have been conveniently grouped under separate headings, and the clauses under this heading have been altered and revised.

As to the notes, they remain, as always, succinct, practical and containing references to the latest authorities. We observe, however, that a note is retained at p. 551 of Volume I which may give rise to misapprehension. It is only, of course, where some person other than the trustees for the purpose of the Settled Land Acts is appointed to convey on behalf of an infant, that the purchase-money must be paid into court under *Re Dudley* (35 Ch. D. 338). A clause for the protection of trustees, which we think is novel, and perhaps of somewhat doubtful utility, is suggested in a note to the provision for the indemnity and reimbursement of trustees, providing that they are not to be liable "for any act or thing done or omitted in the execution of

the trusts of these presents under the advice, and in accordance with the opinion of, any counsel of not less than ten years' standing nominated by the President for the time being of the Law Society, other than an assurance of the settled hereditaments or a transfer of any investments representing the same, or the payment of capital money or of any part or parts thereof respectively to one or more beneficiaries under the provisions of these presents."

Although we have not noticed nearly all the points marked for comment, we must content ourselves by saying that the present edition of this book has been admirably edited, and will assuredly maintain the already high reputation of the book.

### Time Limit on Actions.

THE TIME LIMIT ON ACTIONS: BEING A TREATISE ON THE STATUTE OF LIMITATIONS AND THE EQUITABLE DOCTRINE OF LACHES. By JOHN M. LIGHTWOOD, M.A., Barrister-at-Law. Butterworth & Co.

A new treatise on the Statutes of Limitation was much needed. Messrs. Darby and Bosanquet's book was issued sixteen years ago, and since then important decisions have occurred settling points on some branches of the subject. Moreover, a complete exposition of the whole subject comprised under the title selected by the author of the present book, "The Time Limit on Actions"—including a consideration of the Public Authorities Protection Act, 1893, and a full statement of the doctrine of laches, brought down to the present time—was wanting. This book will be found, both as regards completeness, clear and logical arrangement and accuracy, to fully meet the want. The table of cases, extending over nearly forty closely printed pages, affords evidence of the industry of the author, and the effect of these decisions is stated, and their relations to each other and the statutes, is pointed out with excellent terseness. Mr. Lightwood tells us in his preface that the work is founded on a chapter in his book on the "Possession of Land," which was published so long ago as 1894, and says that he has filled in the outline there suggested. In so doing he has afforded a good illustration of the result of the taking up by an experienced writer of a particular branch of law as a favourite and special study; pondering over it for years, and at length putting into shape the results of his research. A work produced under these conditions differs widely from the ordinary run of law books.

The book opens with an interesting discussion of the policy of the Statutes of Limitation, their construction, and "pleading the statute"; followed by a chapter on Land and Rent-charges, commencing with a section on the General Rule of Limitation, and proceeding to the subject-matter of section 1 of the Act of 1874. This is dealt with under the heads of land, mines, tithes, rent-charges, heriots and periodical sums charged on land. The head of Mines, which is distributed over this and some subsequent sections of the book, although carefully collecting the cases, might, we venture to think, be somewhat further elaborated with advantage in a subsequent edition. We then come to the difficult subject of dispossession, upon which the author has thrown a great deal of light by arranging the cases under a series of five rules (which ought to have been placed in large type), followed by appropriate illustrations, some of which are certainly quaint. Thus the first rule—namely, that "regard must be had to the purpose for which A. desires to use the land, and though such user requires only slight acts upon the land, yet these will be enough to preserve the possession in A., unless the acts of ownership done by B. are inconsistent with A.'s user of the land for his intended purpose"—we find the curious case of *Phillipson v. Gibbon* (L. R. 6 Ch. App. 428), where an inscription, dated nearly a century before action brought, on a stone inserted in a wall, forming one side of a house, stating that the wall belonged to the East India Company, and reinserted when the wall was rebuilt, was enough to save the possession of the company. No rent had been paid or acknowledgment of their title had been given to the company, but Lord Justice James said that "where there is a boundary wall, and that boundary wall remains undisturbed, and an inscription is allowed to remain on it that states to all the world that it is the boundary wall of the adjoining proprietor, it seems to us idle to suppose that any question of the Statute of Limitations, or of adverse possession, or of cesser of possession, could properly arise." The rules laid down in this part of the book reduce to order a series of decisions the relation of which to each other would without such help be difficult to understand.

Subsequent sections discuss at length future interests, trustee and *cestui que trust*, mortgagor and mortgagee, lord and copyholder, landlord and tenant (a very complete and well-arranged section), and possessory titles. Then we reach a section on Crown lands, in which the provisions of the verbose and strangely framed Nullum Tempus Acts are stated in short and intelligible language, and a concise summary of their effect is given. Money charged on land, judgments and legacies are dealt with in Chapter 2, and under Chapter 3 arrears of dower, rent and interest, are treated. There is a very com-

plete statement in Chapter 4 of the rules as regards actions of contract and tort; and the chapter on Claims in Equity, including laches and express trusts, demands special attention for its comprehensive and masterly treatment of those subjects.

Chapter 8, on Public Authorities, opens up practically untrodden ground in a treatise on time limit on actions. The subject is dealt with very fully, and no little labour must have been spent on this chapter.

We may commend the book to our readers as a well-arranged, careful, and complete treatise on a subject of no little difficulty.

### Foreign Judgments and Jurisdiction.

FOREIGN JUDGMENTS AND JURISDICTION. PART II.: JUDGMENTS IN REM—STATUS. By Sir FRANCIS PIGGOTT, M.A., LL.M., Chief Justice of Hong Kong. Butterworth & Co.

Part I. (or Vol. I.) of this work was reviewed in these columns last January (53 SOLICITORS' JOURNAL, 196), and the scheme and scope of the whole were then referred to. Part I. was divided into three books. The present volume contains Books IV. and V., entitled respectively "Judgments *in rem*" and "Status," an Appendix of Statutes relating to Marriage and Wills, and an Index to the volume. Whilst forming one of the series of volumes contemplated by the author, the present volume, like its predecessor, is, by virtue of its separate Index and its general arrangement, in reality a distinct treatise—or perhaps two treatises, rather—on Judgments *in rem* and Status. Book IV. (Judgments *in rem*) ends at p. 56, the remaining part of the text (to page 550) being taken up with Book V., dealing with the subject of Status—Marriage, Infancy, Lunacy, and Succession and Administration. All these matters are dealt with in the critical and exhaustive manner adopted in the previous volumes, from the point of view, as stated in the Preface to Part I., of "the position of British subjects beyond the realm with reference to the law of England," and in view of the difficulties relating to international law and the conflict of laws.

The most noticeable feature of this volume, however, is the constant reference to the law of domicile. The keynote, in fact, of the present Part II. is struck by a statement in the Preface to Part I.: "It is high time that our conception of domicile should be thoroughly examined, to see how far it is adapted to the heterogeneous elements out of which our Empire has been created." The author, accordingly, attacks the subject of domicile in this volume, and certainly succeeds in showing that the English law of domicile is in many respects inconsistent with itself and unsatisfactory in principle. The view taken is that nationality, rather than domicile, should in many circumstances be the guiding principle, and that the English courts have frequently meant "nationality" when they said "domicil." Sir Francis Piggott speaks of "the theory of a fictitious state of being, called 'domicil,' which at times threatens to become unmanageable." It is interesting to quote Mr. DICEY in this connection; he says, at p. 839 of his *Conflict of Laws*: "At present the one certain but far from satisfactory conclusion is that the modern Continental doctrine of preferring nationality to domicile, so logical and simple on the face of it as to have captured most of the legislatures and jurists of Europe, has really led to far more confusion than it prevents." An appreciation of the relative value of these two opposing views can only be gained by a careful perusal of the present volume, and it would be impossible to present the arguments properly in the limits of a review.

One or two of the points made by Sir F. Piggott may be referred to. On p. 488 he says: "There is one authority in favour of applying the national law to successions, which, curiously enough, is always cited in support of the doctrine of domicile—Lord Loughborough's judgment in *Sill v. Worswick*. But the proposition it lays down is that personality is subject to the law which governs the person of the owner, and in considering what this law is the word 'domicil' is not mentioned; it is the law of the country to which the person is subject, his 'own country.' . . . Yet even so great a lawyer as Lord Selborne said, in *Freke v. Carbery*, that the judgment in *Sill v. Worswick* incorporated, and was to be read subject to, the traditional interpretation of *mobilia sequuntur personam* by the law of domicile."

There are two suggestions incidentally made with which we are quite unable to agree. One is (in a preliminary note on *McLeod v. Attorney-General*), that a conquered or ceded colony may have greater powers of extra-territorial legislation than a settled colony has. The other suggestion is (p. 466), that the Statute of Frauds is possibly "not included in the general extension of the law of England to the Colonies," but is rather on the footing of the Mortmain Acts, which have been held not to be part of the law carried by English settlers to their new home. But, as a matter of fact, the Statute of Frauds is so much part of the law transplanted to colonies that it was taken over by such of the American colonies as were settled before 1676.

### International Law.

INTERNATIONAL LAW. By T. BATY, D.C.L., LL.D., Barrister-at-Law. John Murray.

Mr. Baty affects a picturesque style, and is not above quoting the sayings and doings of Mr. Wemmick, Tommy Merton, and Mr. Dooley. We are inclined to quote Mr. Tulliver, to the effect that this is a puzzling world, because you cannot judge of the contents of a book by its exterior. For, until this book is read somewhat carefully, the relevance of the title "International Law" is not apparent. In particular, the names of Chapters II. and III.—"Penetration"—seemed a trifle enigmatic. These two chapters, however, are really the key to the whole. The book is in fact an extremely well-written and interesting essay on the philosophy of international law including incidentally accounts of a large number of international disputes and claims. The field of existing international law is only dealt with as far as it is necessary to shew, by a discussion of actual cases, to what extent one sovereign nation makes itself responsible for the protection and well-being of the subjects of another. The earlier chapters are concerned with questions relating to the position of foreigners abroad; the later chapters are more speculative, and some endeavour is made to forecast the possible results in the future of the break-up of the present territorial organization of the civilized world.

At present, "territoriality" is "the magic word of the modern State." But "internationalism" tends to produce cross divisions into classes, and so weaken the sacrosanct notion of territorial independence. There is also another tendency to be taken into account—illustrated in the phenomenon of "regional solidarity," a federal union of large local groups. The large number of instances given of claims on one nation for injuries suffered by the subjects of another makes the book of practical interest and value. Its chief merit, however, is more purely literary and juridical. The language is often extremely happy, particularly in the use of metaphors. On page 18 it is said that the independence of San Domingo "was never so great as the independence of France or Italy, because it affected a lesser area. Within that area its pressure to the square inch of territory was precisely the same." On page 302 the feudatory States of India are called the "step-children of the Empire."

The whole book shews wide reading, and contains both pertinent criticism and acute reasoning. Grotius and de Martens, Lord Justice Farwell and Sir Frederick Pollock are all criticised in a sufficiently independent manner. It would have been better had the author's political leanings been less obtrusively put forward.

INTERNATIONAL INCIDENTS FOR DISCUSSION IN CONVERSATION CLASSES. By L. OPPENHEIM, M.A., LL.D., Whewell Professor of International Law in the University of Cambridge. Cambridge: University Press.

This is a little book of some sixty small pages, containing simply brief statements of cases involving questions of international law. No notes or answers are given. The scheme is the same as that adopted in von Jhering's *Law in Daily Life*, and should be equally useful and interesting as affording subjects for discussion, or questions for examination papers.

### Equity.

EQUITY, ALSO THE FORMS OF ACTION AT COMMON LAW. By F. W. MAITLAND, LL.D., D.C.L. Edited by A. H. CHAYTOR, M.A., LL.B., and W. J. WHITTAKER, M.A., LL.B., Barristers-at-Law. Cambridge: University Press.

This volume contains two courses of Lectures delivered at Cambridge by the late Professor Maitland as recently (for the last time) as 1906, and now edited by two of his former pupils. One volume of Maitland's lectures—on Constitutional History—has already been published since his death. The present volume also contains, in the lectures on the Forms of Action at Common Law, much that is history, and as such peculiarly within Maitland's province. A series of lectures on Equity will probably be read with a mixture of interest and curiosity by those who are accustomed to regard Maitland as a legal historian rather than a lecturer on modern law. The editors quote, in their preface, one of his sayings—"The practising lawyer distrusts the professor of law, and rightly," and add: "We venture to hope that these lectures may lessen that distrust." Maitland is probably the one of all professors of law whom the practising lawyer should distrust least.

If the lectures now published do not absolutely add anything to our knowledge—and they were only delivered to students with no previous knowledge of the subject—they will serve as a striking monument of Maitland's versatility. The lectures on Equity have no flavour of the class-room and may be read with profit and interest by the veriest "practitioner"—



who scorns the name of "jurist." The doctrines of our system of equity are set forth with consummate clearness and brevity. One turns for the first time to their perusal, wondering whether Maitland may possibly have succeeded in getting very much nearer to some positive definition of English equity, or some really hard-and-fast description of its more elusive characteristics. There is perhaps a slight feeling of disappointment when we find even his intellect unable to do what is, of course, inherently impossible—provide a cut-and-dried formula by which to test what does and what does not belong to the equitable jurisdiction of our courts. But we must take our English equity as we find it.

It is only possible to barely allude to a few samples of the illuminating criticism shed on points familiar enough in themselves to the practitioner. On p. 111 Austin's description of the nature of equitable estates and interests is thus treated: "Now, as a piece of speculative jurisprudence this seems to me nonsense, while as an exposition of our English rules, I think it not merely nonsensical, but mischievous." Section 51 of the Conveyancing Act, 1881, is thus criticized: "That section may have struck you as a very odd and unnecessary one. It says that one sacramental phrase shall be as good as another—for mark that it only does this: it only gives you the choice between two phrases . . . and the one phrase is no shorter than the other. 'In fee simple' contains precisely the same number of letters as 'and his heirs.' The lectures on Equity conclude with these words: 'But the day, I hope, is coming when we shall see that two systems of intestate succession are one system too many.'"

One reference to the lectures on the Forms of Action must suffice. It is, perhaps, not within the knowledge of every student (certainly many excellent text-books say nothing of it) that from a phrase of Bracton comes "all our talk about real and personal property"—see pp. 356, 368.

### Legislation of the Empire.

THE LEGISLATION OF THE EMPIRE: BEING A SURVEY OF THE LEGISLATIVE ENACTMENTS OF THE BRITISH DOMINIONS FROM 1898 TO 1907. Edited by C. E. A. BEDWELL. IN FOUR VOLUMES. Butterworth & Co.

The *Journal of the Society of Comparative Legislation* contains from time to time, as one of its most important features, a summary of the legislation of each year in nearly every part of the British Empire, and in many foreign countries. The accounts of the legislation in the Empire only (that is, omitting the legislation of foreign countries) for the ten years from 1898 to 1907 have now been reproduced in a consolidated form, with many additions and improvements, by Mr. Bedwell, the librarian of the Middle Temple, under the auspices of the society. There is here set out a summary of the legislation for ten years of each of the eighty legislative bodies of the British Empire, arranged in appropriate geographical groups. A preface is contributed by Lord Rosebery, the President of the Society of Comparative Legislation, and an introduction by Sir John Macdonell. The three volumes constituting the body of the work contain respectively the portraits of Lord Rosebery, Sir Courtenay Ilbert and Sir John Macdonell. The fourth volume consists of the index and an appendix of statutes enacted by the English Parliament, whose provisions have been followed more or less closely by the legislatures of the oversea dominions.

Valuable as are the annual summaries published in the *Journal of Comparative Legislation*, the present work does much more than merely consolidate those summaries. The opportunity has been taken to fill up a good many gaps in, and to improve the classification of, the matter published from time to time in the *Journal*. There is presented for the first time in a convenient form a synopsis of the work for a continuous series of years of all the legislatures in the Empire. For the practical use of all who have to discover what new statute law has been enacted in any particular territory, these volumes are, of course, invaluable for the period covered by them. But they do much more than afford technical information to the lawyer. There is probably no single book, legal or otherwise, at present published, that enables such a bird's-eye view of the constituent territories of the Empire to be had with such ease. The mere setting forth the names of all these territories in the different quarters of the globe sets the mind of the reader to work on many questions which it is not, of course, the business of this book to answer. What is exactly meant by the "British dominions"? Does it include the African Protectorates, the Federated Malay States, the colonies of Wei-Hai-Wei and Cyprus? All these figure in the volumes before us. But are they to be included in the King's dominions in the same sense that Canada and Gibraltar are included? Egypt and the Native States of India are not included in the "Legislation of the Empire." What is the exact line of demarcation between territories that are and territories that are not part of the King's dominions?

Turning to the work in detail, whilst the scheme itself is admirable, and likely to be of the highest possible value in the literature of

law and political science, it is not difficult to make a good many criticisms, of varying degrees of importance, with respect to the manner of its execution. The contributions are from many pens, and, like all encyclopædic work, these contributions are uneven, both in quality and method. Nevertheless, a good deal could be done, when the next revision and consolidation is effected (for a new edition will certainly be required in the course of a few years), in the way of uniformity of style and arrangement. One of very many illustrations occurs at p. 80 of Vol. 2, in reference to the Tasmanian Act, 1906 (No. 29), amending the law of bills of exchange. Nothing is said of the reason for the amendment; but a reference to p. 533 of Vol. 1 will shew that in Queensland similar legislation has taken place, and the reason for it is given in a footnote—the decision of the High Court of Australia and the Privy Council in *Colonial Bank of Australasia v. Marshall*. Had both summaries been contributed by the same person, or carefully overlooked by a single editor, no doubt the account of the Tasmanian Act would have contained a reference to the Queensland Act and its footnote. So pp. 76, 102, of Vol. 2, with respect to the Bodies Corporate (Joint Tenancy) Acts. There is a slip on p. xxiv. of the Introduction in Vol. 1, as to the adoption overseas of the English Supreme Court practice. It so happens that New South Wales is the most conspicuous instance among the Australian States of the non-adoption of the English practice under the Judicature Acts. We have noticed omissions both in the index and the appendix that follows it. Under the Act "6 Edw. 7, c. 17 (Bills of Exchange (Crossed Cheques) Act 1906)," New Zealand should have been with the other territories mentioned: see II. 271.

### Carriage of Goods by Sea.

A TREATISE ON THE LAW RELATING TO THE CARRIAGE OF GOODS BY SEA. By the late THOMAS GILBERT CARVER, M.A., K.C., a Judge of County Courts. FIFTH EDITION. By ROBERT ALDERSON WRIGHT, M.A., Barrister-at-Law. Stevens & Sons (Limited).

The subject of carriage of goods by sea is one of great commercial importance, and this has resulted in commensurate legal importance. This full and well-arranged treatise on the law by which such carriage is governed has unfortunately been deprived of the revision of the author, the late Judge Carver, but it has been entrusted to the competent hands of Mr. Wright, by whom the task has been well accomplished. The work is divided into three parts, dealing successively with the contract, the voyage and the delivery, the last part including chapters on the shipowner's liens for freight and demurrage, the remedies of the freighters, and the measure of damages; and the editor has preserved the original text, with such alterations only as were necessary for incorporating the effect of recent decisions. Chapter VI., on the Construction of the Contract, and the Effect of Customs of Trade, may be referred to as an example of the clear and complete way in which the subject is treated, and in practical utility it extends beyond the scope of the present work. The construction of mercantile contracts is in principle the same as that of other written contracts; they are subject to the general rule that the intention of the parties is to be gathered from the document itself, and not from any guess as to what might have been expected to be their intention. But they are also a leading example of the rule that the words are to be construed by the light of surrounding circumstances, and mercantile usage is admitted both to explain the words used and to incorporate customs where not excluded by the contract. The older authorities on these points are enforced by recent cases, such as *Barque Quilpué v. Brown* (1904, 2 K. B. 264) and *Leonis Steamship v. Rank* (1908, 1 K. B. 899), which have been duly referred to; and the pages on the construction of contracts which are partly printed and partly in writing will be found useful. Attention may also be directed to Chapter XIX., with its discussion of the nature of maritime lien, and of the recent cases which decide that such a lien does not usually result from statutory jurisdiction *in rem*.

### Small Holdings and Allotments.

SMALL HOLDINGS AND ALLOTMENTS: THE LAW RELATING THERETO UNDER THE SMALL HOLDINGS AND ALLOTMENTS ACT, 1908. SECOND AND REVISED EDITION. BY GEORGE ARTHUR JOHNSTONE. Effingham Wilson; Stevens & Sons (Limited).

We reviewed the first edition of this book about a year ago: *SOLICITORS' JOURNAL*, Vol. 52, p. 757. The consolidating statute—the Small Holdings and Allotments Act, 1908—had not then come into operation, and the author had to do his own consolidation, so to say. In the present edition the new Act is, of course, substituted for the repealed Acts, and the book is otherwise brought up to date. Among other recently made statutory rules here printed are the Land Transfer Rules, 1908, and the corresponding Fee Order. This is probably the first text-book in which these new rules have been printed. Mr. Johnstone has not, however, ventured on the task of

incorporating the new rules of 1908 with the older rules of 1903. The most useful and important feature of the book is that, as in the first edition, of printing *in extenso* sections from other Acts incorporated by reference in the main Act. Some day the Parliamentary draftsman will have to do this instead of leaving it to the private text writer.

### Death Duties.

DEATH DUTIES, PARTICULARLY THE FINANCE ACTS, 1894, 1896, 1898, 1900, AND 1907; WITH NOTES, RULES, CASES AND TABLE OF FORMS. By WILLIAM GRESWELL DOBSON, Barrister-at-Law. Sweet & Maxwell (Limited).

The author of this work is not wide of the mark when he describes his subject as "perhaps the most intricate and complicated of modern times." Practitioners have daily experience of the difficulties which have to be wrestled with, and a new attempt to state the effect of the provisions of the statutes, and the decisions upon them, is welcome. Section 9 of the Finance Act, 1894, charging estate duty specifically on "property which does not pass to the executor as such," has given rise to the most singular division of opinion among judges of first instance which, perhaps, is to be found in the reports; but the decision of the Court of Appeal in *Re Hadley* (1909, 1 Ch. 20) has decided that appointed property, since it passes to the executor subject to the payment of debts, passes to him "as such," and this has enabled Mr. Dobson to miss out a whole batch of cases which are now obsolete. His statement, however, of *Re Hadley* does not seem to suggest what was the reason of the doubt, and should have been more precise. He has adopted the plan of printing the Acts consecutively, and relegating the notes to the end of the book. We are not sure that this is a convenient arrangement. Where a work consists primarily of annotations on the sections of a statute, the notes more suitably follow the sections, and sections which have been altered by later statutes should, where they are printed in chief, so to speak, shew at once the existing state of the statutory provision. But the practitioner will find in the work a useful collection of the statutes, and the authorities have been carefully grouped in the notes.

### The Management of Companies.

COMPANY MANAGEMENT: A MANUAL FOR THE DAILY USE OF DIRECTORS, SECRETARIES, AND OTHERS IN THE FORMATION AND MANAGEMENT OF JOINT-STOCK COMPANIES UNDER THE COMPANIES (CONSOLIDATION) ACT, 1908; WITH MODEL FORMS, REFERENCES TO LEADING CASES, AND NOTES ON THE LIMITED PARTNERSHIP ACT, 1907. WITH A COPIOUS INDEX. By H. C. EMERY, Solicitor. Effingham Wilson.

The statute law of companies is now consolidated in the Act of 1908, but it is still convenient to present the provisions of the statute in such an order as to be useful in practice, and this task has been undertaken in the present work. To a large extent the statutory regulations are sufficiently simple to call for no legal assistance in understanding and applying them, and Mr. Emery's object has been to avoid difficult questions of law and to confine himself to the more ordinary matters of company formation and management. Parts II. and III. contain useful directions on the formation and starting of companies, and the model set of articles adopting Table A with modifications may be consulted with advantage. It must always be remembered that the adoption of the table, as it stands, is a matter of considerable risk. For instance, it leaves the company in the position of a public company with the onerous liabilities that that position involves. The various inconveniences in the table which require to be provided against are carefully pointed out. In Part VI. are collected the various sections of the Act dealing with debentures—as to registration, re-issue, and otherwise—and in Part XI. on reconstruction there is a useful note on the modes in which a scheme of reconstruction can be carried through, with a statement of the effect of the recent cases of *Bisgood v. Nile Valley Co.* (1906, 1 Ch. 747) and *Bisgood v. Henderson's Transvaal Estates* (1908, 1 Ch. 743).

### Comparison of Handwriting.

THE DETECTION OF FORGERY: A PRACTICAL HANDBOOK FOR THE USE OF BANKERS, SOLICITORS, MAGISTRATES' CLERKS, AND ALL HANDLING SUSPECTED DOCUMENTS. By DOUGLAS BLACKBURN (late Expert to the Natal Criminal Investigation Department and the Transvaal Republic) and Captain WAITHMAN CADDELL. Charles & Edward Layton.

This book is stated by the writer to be the first English exposition of the principles of expert comparison and examination of handwriting. It may be the first concise exposition, but according to our recollection, Mr. Chabot's treatise on "The Handwriting of Junius" contains an exhaustive exposition of the methods to be adopted in comparing handwritings. The present work certainly contains a very

complete review of these methods, expressed in short compass. A good deal of discredit has been attached to expert evidence of handwriting from the consideration, referred to by Lord Campbell in the Tracy Peerage case (10 Cl. & F., at p. 191), where he said that "hardly any weight is to be given to the evidence of what are called scientific witnesses; they come with a bias on their minds to support the cause in which they have embarked"—a statement that is supposed to have had a rather striking recent confirmation in the conflict of handwriting experts in the Dreyfus case. But that there is an art of comparison of handwritings, and that an elementary knowledge at least of the principles of such art may be of service to solicitors and bankers cannot be doubted. The present work affords such knowledge, and will be found interesting reading.

### Contracts of Married Women.

THE LAW OF MARRIED WOMEN'S CONTRACTS. By M. R. EMANUEL, M.A., B.C.L., Barrister-at-Law. Butterworth & Co.

The successive changes which have been made in the law as to married women's contracts have left the matter in a very technical and complicated state. The Act of 1893 removed the requirement which had been read into the Act of 1882, that a married woman's contract did not bind future separate property unless she had free separate property at the date of the contract; but the proviso to section 1 of the Act of 1893, which exempts from liability property subject to a restraint on anticipation, has been held to extend to such property even after the woman is discovered, so that the restraint is at an end; see *Barratt v. Howard* (1900, 2 Q. B. 784), *Brown v. Dimbleby* (1904, 1 K. B. 28). This is one of those strained constructions which set traps for the unwary. With problems of this kind to deal with, and, we should add, the still more troublesome question as to whether there is less risk in suing the husband or the wife for goods supplied to the wife, Mr. Emanuel has found sufficient matter for discussion, and he has produced a useful book on the subject.

### Company Forms.

PRACTICAL HINTS ON THE PREPARATION AND REGISTRATION OF JOINT STOCK COMPANIES FORMS. WITH PRECEDENTS, TABLES OF FEES, AND STAMP DUTIES. By CHARLES H. PICKEN. SIXTH EDITION. Waterlow & Sons (Limited).

The provisions of the Companies (Consolidation) Act, 1908, impose numerous duties in respect of preparing and filing returns on the managers and secretaries of companies, and this work gives practical guidance as to the manner in which these duties should be performed. It gives forms, for instance, of a statement for filing in lieu of a prospectus; of the particulars required on registration of a mortgage, and of the annual returns of capital, &c. The actual forms for use, of course, will be obtained elsewhere, but it is convenient to have them collected, and the provisions of the statute in relation to them stated, in this handy volume.

### Books of the Week.

The Law and Practice relating to Letters Patent for Inventions. By THOMAS TERRELL, K.C. Fifth Edition. By COURTNEY TERRELL, Barrister-at-Law. Sweet & Maxwell (Limited).

The Principles of the General Law of Mortgages. By J. ANDREW STRAHAN, M.A., LL.B., Barrister-at-Law. Sweet & Maxwell (Limited).

The Law of Limited Partnerships under the Limited Partnerships Act, 1907, with the Rules, Forms, and Scale of Fees thereunder, and a Model Form of Partnership Agreement. By D. G. HEMMANT, Barrister-at-Law. Second Edition. Jordan & Sons (Limited).

A Practical Guide to Naturalization in France, the Acquisition, Loss and Recovery of French Citizenship. By MARCEL SAUVAGNAC, LL.D., Barrister-at-Law, of the Court of Appeal at Paris. Stevens & Sons (Limited).

Centenary Edition 1810-1910: A Catalogue of Modern Law Works. Stevens & Sons (Limited).

Journal of the Society of Comparative Legislation. Edited for the Society by Sir JOHN MACDONELL, C.B., LL.D., and EDWARD MANSON, Esq. New Series, Vol. X., Part I. John Murray.

The Judicial Committee resumed their sittings on Tuesday after the Long Vacation. Twenty-one appeals have, says the *Times*, been set down for hearing—viz., from the North-West Provinces (Allahabad), six; Punjab, three; Australia (High Court), two; China and Korea, two; and Oudh, Lower Burma, Bengal, Isle of Man, Canada (Supreme Court), Hong-kong, New South Wales, and Quebec, one each. Two judgments in appeals argued before the recess are put down for delivery.

## Correspondence.

### Notices of Payment into Court in the City of London Court.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—We think the enclosed correspondence will be of interest to the profession.

HICKSON, MOIR, & JEAKES,  
Blomfield House, 52, New Broad-street, London, E.C., Oct. 27.

The following is the correspondence referred to by our correspondents:—

Copy.

Blomfield House, 52, New Broad-street, London, E.C., Oct. 16.

No. of Complaint N.O. .... Execution N. ....

Dear Sir,—Our clients inform us to-day that they have received notice from you of the payment into court by the defendant under the warrant of execution herein, but surely the notice ought, in accordance with the usual practice, to have been sent to us, as solicitors acting in the matter.

Other county courts invariably send the notices to us, but apparently your officials are not quite consistent, for sometimes the notices are sent to us and sometimes to the client—the latter course leads to inconvenience and delay.

We would suggest, with great respect, that in cases where the court is aware that solicitors are acting, all notices should be sent to them, and we shall be glad if you can see your way to instruct the officials accordingly.—Yours truly,

(Signed) HICKSON, MOIR, & JEAKES.

The Registrar, City of London Court, Guildhall-buildings, E.C.

Copy.

The City of London Court,  
Guildhall-buildings, London E.C., Oct. 26.

Dear Sirs,—In reply to your letter of the 16th of October, I am directed by the registrar to inform you that in future all notices of payments will be sent to the solicitors in the proceedings.—Yours truly,

(Signed) GEO. E. COOPER, Chief Clerk.

Messrs. Hickson, Moir, & Jeakes.

Copy.

Blomfield House, 52, New Broad-street, London, E.C., Oct. 27.

Dear Sir,—We are obliged by your letter of yesterday, informing us that in future all notices of payment into court will be sent to the solicitors acting in the proceedings, a practice which we feel sure will be appreciated by the profession.—Yours truly,

(Signed) HICKSON, MOIR, & JEAKES.

The Chief Clerk, City of London Court, Guildhall-buildings, E.C.

## New Orders, &c.

### Rules of the Supreme Court (October), 1909.

#### ORDER XXXVI, RULE 17.

1. Order XXXVI, Rule 17, shall be read as if after the word "Middlesex" the words "Manchester, Liverpool, and such other places as the Lord Chancellor shall from time to time direct" were inserted.

#### ORDER XXXVI, RULE 18.

2. Order XXXVI, Rule 18, shall be read as if after the word "Middlesex" the words "Manchester, Liverpool, and such other places as the Lord Chancellor shall from time to time direct" were inserted.

#### ORDER XXXVI, RULE 18A.

3. Order XXXVI, Rule 18a, is hereby annulled.

#### ORDER XXXVI, RULE 20.

4. Order XXXVI, Rule 20, shall be read as if after the word "Middlesex" the words "Manchester, Liverpool, and such other places as the Lord Chancellor shall from time to time direct" were inserted.

#### ORDER XXXVI, RULE 22B.

5. Order XXXVI, Rule 22b, shall be read as if after the word "Middlesex" the words "Manchester, Liverpool, and such other places as the Lord Chancellor shall from time to time direct" were inserted.

6. These Rules may be cited as the Rules of the Supreme Court (October) 1909, and each Rule may be cited separately by the

heading thereof with reference to the Rules of the Supreme Court, 1883.

These Rules are declared urgent.

21st October, 1909.

(Signed)

LOREBURN, C.  
ALVERSTONE, C.J.  
HERBERT H. COZENS-HARDY, M.R.  
R. L. V. WILLIAMS, L.J.  
JOHN C. BIGHAM, P.  
R. J. PARKER, J.  
CHRISTOPHER JAMES.  
WM. H. WINTERBOTHAM.

## CASES OF THE WEEK.

### High Court—Chancery Division.

Re KELLY'S SETTLEMENT TRUSTS. GUSTARD v. BERKELEY.  
Warrington, J. 16th and 23rd Oct.

SETTLEMENT—POWER OF APPOINTMENT—SURRENDER OF LIFE INTEREST IN SECURITIES—HOTCHPOT CLAUSE—VALUATION AS AT DATE OF APPOINTMENT OR DATE OF DEATH OF LIFE TENANT.

Under a power of appointment contained in a marriage settlement securities were at different times appointed by the life tenant to persons objects of the power, and her interest in the securities was in each case surrendered by the same deed. The settlement contained a hotchpot clause. The life tenant died, leaving part of the funds unappointed.

Held, that the securities must in each case be brought into account at their value as on the death of the life tenant, and not as on the date of appointment.

This was an originating summons taken out by the trustees of the marriage settlement of Laura Jane Kelly, who died on the 26th of October, 1908, against the trustees of the marriage settlements of her three daughters, for the determination of (among other things) a question of valuation of securities. The facts sufficiently appear from the following judgment. The case was argued as not being covered by authority. The trustees for the daughter who was first married claimed a valuation as at the date of Mrs. Kelly's death. It was argued against them that for this purpose the determination of a life interest by surrender ought to produce exactly the same result as its determination by death. The hotchpot clause was meant to compensate anyone damaged by an appointment, and such injury would be completed on the surrender. An appointee might by skill or judgment increase the value of his share during the lifetime of the tenant for life, and it would be unreasonable to mulct him in proportion.

WARRINGTON, J.—The question in this case is as to the mode in which a common form hotchpot clause contained in a marriage settlement is to be applied in the events which have arisen. It is whether certain specific sums of stock appointed under the settlement are to be brought into hotchpot at their value at the time of the appointment, or at their value on the death of the tenant for life. The appointments were made under the marriage settlement of Mr. and Mrs. Kelly. Mr. and Mrs. Kelly had three daughters, who became Mrs. Euan-Smith, Mrs. Farmer, and Mrs. Hall. The settlement was in the ordinary form of a marriage settlement; it conferred a life interest upon the wife, and in the event (which happened) of her surviving the husband it gave her a power of appointment among the children, with the usual provisions in default of appointment, and with a hotchpot clause. The hotchpot clause reads as follows:—"Provided always that no child who or whose issue shall take any part of the said trust fund under any appointment in pursuance of either of the powers hereinbefore contained shall be entitled to any further share in the unappointed part of the said trust fund without bringing the share or shares appointed to him or her or his or her issue into hotchpot and accounting for the same accordingly." On the marriage of Mrs. Euan-Smith, Mrs. Kelly, by a deed dated the 13th of July, 1894, appointed certain specific sums of stock, and directed that they should immediately after the marriage vest in the appointee, and be held in trust for her absolute benefit, and by the same deed she assigned and surrendered her life interest as from the date of the marriage. The same thing was done on the occasion of Mrs. Farmer's marriage, by a deed dated the 15th of July, 1901, and on Mrs. Hall's marriage by a deed dated the 31st of July, 1906. On the 13th of July, 1894, the sums of stock appointed to Mrs. Euan-Smith were of the value of £20,685. They are now worth £16,161. It is important for Mrs. Farmer and Mrs. Hall to get the stocks valued as at the dates of the several appointments; Mrs. Euan-Smith would then bring in £20,000, as against £16,000, which she brings in now. There can be no question that if the appointments had been in the same form, but no surrender had been made, the trustees would not have transferred the specific sums of stock to the trustees of the daughters' marriage settlements until the death of the tenant for life, and would have brought them into account as on that date. The real question is whether the surrender of the life interest makes any difference. In my opinion the question turns on the construction of the hotchpot clause, and on nothing else. Now what is it that the appointee has to bring into account? The share she takes under the appointment. What is that? The specific sums of



stock, subject to her mother's life interest. The surrender is immaterial for the consideration of the hotchpot clause. The possession of the funds at the date of the appointment is by virtue of the surrender, not of the appointment. It is perfectly true that certain anomalies have been pointed out as arising on this view. But those anomalies result—if they do result—not from the form of the appointment, but from the surrender. What the appointee must bring into hotchpot is the share appointed to her as at its value on the death of the tenant for life.—COUNSEL, for the plaintiffs, *Brabant*; for the defendants, the trustees of Mrs. Euan-Smith's settlement, *Cave*, K.C., and *Sargent*; for the remaining defendants, *Rowden*, K.C., and *Austen Cartmell*. SOLICITORS, *Busk*, *Mellor*, & *Norris*; *Minet*, *May*, & *Euan-Smith*.

[Reported by H. F. CHETTER, Barrister-at-Law.]

## Probate, Divorce, and Admiralty Division.

**ROSENZ v. ROSENZ AND JOSTEN (No. 2).** Bargrave Deane, J. 18th Oct.

**DIVORCE—HUSBAND'S PETITION—DECREE GRANTED TO ADULTEROUS PETITIONER—COURT BEING MISLED BY WILFUL WITHHOLDING OF FACTS, FRAUD, AND PERJURY—INTERVENTION—DECREE RESCINDED.**

Where the court had been misled into exercising its discretion in favour of a husband who had himself been guilty of adultery, through his wilful withholding of facts and perjury, the court not only rescinded the decree nisi, but further intimated that the case was one in which criminal proceedings should be taken by the Treasury.

Intervention by the King's Proctor for the rescission of the decree nisi, which had been pronounced on the 29th of March last in favour of the petitioner, who had admitted one isolated act of adultery, to which he alleged his wife's conduct had conduced (55 SOLICITORS' JOURNAL 400). Counsel for the King's Proctor stated that so far from the petitioner having committed adultery only on one occasion, he had misconducted himself with various women for years, and had been continuously living in adultery, and passing as man and wife with one woman from May, 1907, to May, 1909, with whom he was actually cohabiting at the date on which the decree nisi was pronounced. Counsel stated, on the authority of *Bigham*, P., who had pronounced the decree nisi, that the court had been entirely misled and deceived by the evidence of the petitioner into the belief that the act of adultery was an isolated one, and that the respondent had conduced to it. No answer had been filed to the plea of the King's Proctor, and it was desired to call special attention to the case as the decision of the President had been recently cited as an authority for granting relief to a husband, himself guilty of adultery—*vide Craven v. Craven and Robinson* (*Times*, October 13th, 1909).

BARGRAVE DEANE, J., rescinded the decree nisi, and condemned the petitioner in the costs of the King's Proctor's intervention, and said that this was a very gross case of fraud and perjury, and that other proceedings should be instituted against the petitioner by another department of the Treasury. The decree nisi having been obtained by fraud was of no value as an authority.—COUNSEL, *J. Harvey Murphy*, for the King's Proctor. SOLICITOR, *The Treasury Solicitor*.

[Reported by DIGBY COTES-FREEDY, Barrister-at-Law.]

**DAVISON v. DAVISON. THE KING'S PROCTOR SKEWING CAUSE. MONTGOMERIE INTERVENING.** Bargrave Deane, J. 25th Oct.

**DIVORCE—DECREE NISI—INTERVENTION BY KING'S PROCTOR—INTERVENTION BY THIRD PARTY—MATRIMONIAL CAUSES ACT (7 ED. 7, c. 12, s. 5), 1907—DECREE RESCINDED—COSTS.**

Where the King's Proctor intervened to rescind the decree nisi obtained by a petitioner and filed a plea alleging adultery with one M., under the provisions of the Matrimonial Causes Act, 1907, intervened in the suit. The King's Proctor having obtained the rescission of the decree nisi, both the petitioner and the intervener M. were condemned in the costs of the King's Proctor.

Intervention by the King's Proctor. Mr. and Mrs. Davison were married on the 22nd of December, 1880, and on the 13th of November, 1907, Mrs. Davison filed a petition for divorce on the ground of her husband's cruelty and adultery. The suit was undefended, and on the 16th of June, 1908, the late President (Lord Gorell) pronounced a decree nisi. As the result of the King's Proctor's inquiries the Attorney-General directed an intervention, and accordingly on the 22nd of December, 1908, the King's Proctor entered an appearance, and filed his plea, alleging, *inter alia*, that the petitioner had lived and cohabited with one Montgomerie in London, Folkestone and Paris, between the 9th of July, 1904, and the 18th of June, 1908, and had committed adultery with him. On the 18th of February last the petitioner filed an answer denying the charges. On the 26th of March Mr. Montgomerie intervened under the provisions of the Matrimonial Causes Act, 1907, and filed an answer denying the charges. On the 15th of October, however, the petitioner and the intervener served notice of abandonment on the King's Proctor, and subsequently, by leave of the court, they obtained leave to withdraw their answers, and the cause was struck out of the defended list. The intervention then proceeded on motion.

THE COURT, after dismissing the petition, rescinded the decree nisi

and condemned both the petitioner and the intervener, Montgomerie, in the costs of the King's Proctor.—COUNSEL, *Victor Russell*. SOLICITOR, *Treasury Solicitor*.

[Reported by DIGBY COTES-FREEDY, Barrister-at-Law.]

## Court of Criminal Appeal.

**REX v. COSTELLO.** 22nd Oct.

**CRIMINAL LAW—CONSPIRACY—FALSE CHARACTER NOT IN WRITING—CHARACTER OF SERVANTS ACT, 1792 (32 GEO. 3, c. 56), PREAMBLE AND SECTIONS 1, 2, 3, AND 4.**

An offence may be committed contrary to the Character of Servants Act, 1792, although the false or counterfeit character or pretence that is made is not made in writing, but by conduct or by word of mouth.

This was an appeal by one Costello against a conviction at the Central Criminal Court before the Recorder of London of the appellant and of a certain Mrs. Bishop for conspiring together to obtain Costello employment by a false or counterfeit character. The indictment contained a number of counts charging offences under nearly every section of the Character of Servants Act, 1792. Costello appealed on the ground that as the characters given were not in writing no offence was committed under that Act.

DARLING, J., in delivering the judgment of the court (Lord ALVERSTONE, C.J., and DARLING and BUCKNILL, JJ.), said: Costello was charged with conspiring with a Mrs. Bishop to commit various offences in contravention of the Character of Servants Act, 1792 (32 Geo. 3, c. 56). They were both convicted. It appears that they did conspire together that Mrs. Bishop should give Costello a false character as to the length of time he had been employed by her. Costello had been in her employment, but not for the time stated by the character she gave to him. The point taken on behalf of Costello is that Mrs. Bishop never gave him a character in writing, and that this Act of Parliament is not contravened unless the character given is in writing, and that consequently the evidence in this case did not show a conspiracy to commit an offence or offences under this statute. The preamble of the Act is important, and is as follows: "Whereas many false and counterfeit characters of servants have either been given personally or in writing, by evil disposed persons being or pretending to be the master," &c. Then, by section 1: "If any person or persons shall . . . either personally or in writing give any false, forged, or counterfeit character to any person offering him or herself to be hired as a servant into the service of any person or persons he shall be liable to a penalty." By section 2: "If any person or persons shall knowingly and wilfully pretend, or falsely assert, in writing that any servant has been hired or retained for any period of time whatsoever or in any station or capacity whatsoever, other than that for which, or in which he, she, or they shall have hired or retained such servant in his, her, or their service or employment . . . such person or persons shall be liable to a penalty." By section 3: "If any person or persons shall knowingly and wilfully pretend or falsely assert in writing that any servant was discharged or left his service at any other time than that at which he or she was discharged, or actually left such service," such person or persons shall be liable to a penalty. In the copy of the Act from which I am reading there is a comma after the word "pretend" in section 2, so that two offences are created by that section; but there appears to be no comma after the word "pretend" in section 3. By section 4: "If any person shall offer himself or herself as a servant asserting or pretending that he or she hath served in any service in which such servant shall not actually have served or with a false, forged, or counterfeit certificate of his or her character" such person or persons shall be liable to a penalty. We think that, having regard to the preamble and to the words of all these sections, that the statute intended to create two separate offences: the first, that of knowingly and wilfully pretending; and the second, that of falsely asserting in writing the propositions set out in the sections. We think there may be an offence under this statute created either by word of mouth or by conduct, as, for instance, in the case of a man who obtained goods by dressing up as an undergraduate in cap and gown, although he makes no false pretence by word of mouth. Indeed, when the Act was passed, the dress of different kinds of men varied more than it does to-day. We think that there was abundant evidence that the appellant Costello and Mrs. Bishop conspired to commit this offence of falsely pretending that Costello had been in her service for this length of time. The conviction, therefore, of Costello under this Statute will stand, and the appeal must be dismissed.—COUNSEL, for the appellant, *F. Watt*; for the Crown, *Bodkin*. SOLICITORS, *The Registrar of the Court of Criminal Appeal*; *The Director of Public Prosecutions*.

[Reported by C. G. MORAN, Barrister-at-Law.]

The late Judge Owen, says a writer in the *Globe*, though he was a County Court judge for twenty-five years, was by no means the doyen of the judicial sphere in which he served so ably and so long. That distinction belongs to Judge Bacon, who has been on the County Court Bench more than thirty years. Judge Greenhow has served for twenty-nine years, and Sir W. L. Selfe and Sir Thomas Snagge have each a record of twenty-six years. Three other judges—Judge Bish, Judge Edge, and Judge Shand—have seen more than twenty years' service in the County Courts.

## Societies.

### Bristol Incorporated Law Society.

The following are extracts from the report of the council:—

**Legal Education.**—The work done in this behalf still continues to give satisfaction, and the grant of £150 from the Law Society has been again renewed. Since the last report fifteen courses of lectures have been given as follows: Three on Real Property and Conveyancing, one on Company Law, one on Criminal Law, one on Company Law and Criminal Law combined, and three on Roman Law, for senior students, by Mr. A. M. Wilshire, barrister-at-law; and six by Mr. C. Alan Chilton, solicitor, for senior and junior students, on Bankruptcy, Probate and Admiralty, Civil Injuries, Rights in Private Relations, Crimes, and Divorce and Agency. The total number of students entering for these lectures was thirty-three.

**Land Transfer.**—The Royal Commission referred to in the last report is still sitting. Mr. James Inskip attended before it and gave evidence on behalf of the profession in this city as to the difficulties that would arise if a system of compulsory registration was extended to the country at large.

**County Courts.**—In the latter part of last year the Lord Chancellor appointed a committee to consider the relations now subsisting between the High Court and the county courts, and certain questions were sent from that committee to the various law societies. These were carefully considered by the council, who expressed the opinion that it was undesirable that county courts should, as was suggested, become constituent branches or parts of the High Court, but they approved of an extended jurisdiction being conferred on certain county courts; of an improvement in the status and remuneration of the judges appointed to such courts; and suggested several improvements in procedure, and in particular some means for obtaining a more speedy judgment under section 86 of the County Courts Act, 1888. The committee have issued a report, and a Bill was introduced into the House of Lords by the Lord Chancellor by which, among other things, an unlimited jurisdiction concurrent with the jurisdiction of the High Court was given to the county courts in common law matters. This provision was, however, rejected by the House of Lords, and the Bill has in consequence been withdrawn from this session.

**Finance Bill.**—The council has given much time and attention to Parts I. and V. of this Bill, and has passed the following resolution in regard to it: "That in the opinion of the council of the Bristol Incorporated Law Society the scheme of land taxation contained in Part I. of the Finance Bill is, as it stands, unfair, on the ground that one class of property only is thereby singled out for a special form of taxation; also that the proposed method of collection of the duty sought to be imposed is such as must inevitably result in delay in the settlement of purchases, and be the cause of much inconvenience both to vendors and purchasers; and that the scheme as a whole must tend to a depreciation in value of all property affected and restrict its ready transfer. The council is also opposed to the procedure provided by the Bill in regard to appeals to a referee, as thereby a tribunal is set up from which there is no appeal, and owners of property are deprived of the common right of every citizen to the protection of the courts of law. The council is further opposed to the proposed increase of the *ad valorem* duty on conveyances on sale, considering that this increase of the stamp duty will, by adding to the expense of conveyance, further tend to reduce the value of and restrain dealings in real property." A copy of this resolution was sent to the Chancellor of the Exchequer and also to each of the members of Parliament for this city.

The council desire particularly to recognise the large amount of personal work undertaken by your president (Mr. H. C. Trapnell) in the matter, not only in mastering the details of this most intricate measure, but also in interviews with several members of Parliament and in correspondence with others, with the object of securing amendments on several points of the Land Clauses of the Bill.

The council have also passed a resolution in opposition to the contemplated extension by the Government to cases under £1,000 of the powers of supervisors of excise under sections 33–36 of the Inland Revenue Act, 1881, and section 16 of the Finance Act, 1894, in probate matters. No further action, it is understood, has yet been taken in the matter, and the council of the Law Society are in communication with the Chancellor of the Exchequer thereon.

## Law Students' Journal.

### Law Society Students' Moot.

A moot of students of the Law Society was held on Tuesday at the Society's Hall, Chancery-lane, presided over by the Right Hon. Arthur Cohen, K.C. Among those present were Mr. E. Jenks (Principal of the Law Society's scheme of education), Mr. Baynes, Mr. Gwyer, and Mr. Longridge (Readers).

The case for discussion was as follows:—*Hampden v. The Collector of Customs for the Port of London. Same v. The Mayor, Aldermen, and Citizens of Birmingham.* On the 26th of May, 1909, the House of Commons resolved to agree to the two following resolutions of the Committee of Ways and Means, viz.: (1) That Income-tax shall be charged for the year beginning the 6th

of April, 1909, at the rate of one shilling and twopence in the pound; (2) that the tea duty, which will expire on the 1st of July, 1909, be continued until the 1st of July, 1910, at the same rate, viz., fivepence the pound. On the 25th of July, 1909, a cargo of tea consigned to the plaintiff from Ceylon arrived at the London Docks. The plaintiff required immediate delivery; but declined to pay duty on the ground that none was legally payable. Upon the collector refusing to allow the tea to be landed without payment of duty at fivepence a pound, the plaintiff paid the amount claimed under protest, and took delivery of the cargo. On the 1st of July, 1909, the plaintiff, who is the holder of £1,000 Three and a Half per Cent. Birmingham Corporation Stock, received by post from the Corporation a warrant for £16 9s. 7d., being the half-year's interest due that day, less Income-tax at one shilling and twopence in the pound. He returned the warrant on the ground that the sum was incorrect. The Corporation treasurer thereupon legally tendered to the plaintiff the sum of £16 9s. 7d., which was refused. On the 7th of August, 1909, the plaintiff commenced the above actions; the first against the Collector of Customs of the Port of London to recover the amount of tea duty paid by the plaintiff, the second against the Corporation of Birmingham for the sum of £17 10s., the amount of a half-year's interest on the stock held by him. The requirements of the Public Authorities Protection Act, 1893, have been complied with. Parliament has not yet embodied the tea duty or Income-tax in a statute. The facts are not in dispute.

Mr. H. R. Pyke and Mr. A. B. N. Powys appeared for the plaintiff; Mr. A. L. Hobhouse and Mr. C. Whitelegge for the Collector of Customs; and Mr. B. E. White and Mr. H. B. Hughes for the Corporation of Birmingham.

Mr. PYKE argued that the defendant must show that a resolution of the House of Commons had the force of a statute or that under a statute already in force the duty was payable. From the reign of Richard II. the assent of Lords and Commons was necessary, and all struggles with the Crown had been on this point. To collect a tax by resolution merely was unconstitutional, since it was directly contrary to the principles of common law. The tea duty was one of the few taxes which needed yearly authorisation, and at the time when the duty was attempted to be collected there was no Act in force. Citing Section 18 of the Customs Consolidation Act, 1876, as the authority on which the defendant mainly relied, he said the section merely allowed old duties to be continued until new ones, already authorised, came into force.

Mr. POWYS said the effect of Sections 1 and 2 of the Finance Act, 1908, was to carry on the code with respect to Income-tax until the 5th of April, 1909. Thus the whole machinery for the collection of Income-tax disappeared on the 6th of April, 1909. The defendants must show that they had legal ground for making the deductions complained of. This resolution did not revive the code, which ceased on the 5th of April, 1909.

Mr. HOBHOUSE pointed out that it was unusual for the Finance Act to be passed before the date when the new taxes would have to be collected. The plaintiff must show that the customary procedure was illegal, and the burden of proof was upon him, and he claimed that the action should be dismissed with costs. The resolution of the House of Commons was in effect an Act of Parliament, and could impose a duty or continue an old one, and under the Customs Consolidation Act (s. 18), the authority of the resolution should be taken as the temporary legal force which should allow the Collector of Customs to proceed with the collection of the new duty. The House of Commons had the privilege of initiating money Bills, and this privilege rendered it improbable that it would be subsequently rejected or amended. Thus a resolution of the House of Commons was a guarantee that the House would subsequently pass the Finance Bill.

Mr. WHITELEGGE argued that a resolution of the House of Commons was sufficient. There must be necessarily some delay before passing the Appropriation Act, and the mere fact that no small Act authorising the interim taxation was passed showed that the resolution was considered sufficient. The custom was a very reasonable one.

Mr. WHITE said the plaintiff was drawing a red herring across the trail. The real point was that the defendants were authorised by Act of Parliament, contained in the Income Tax Act, 1842, and the Act of 1853 made it clear that a period was contemplated when there would be a hiatus between the Acts authorising the collection. His clients were compelled to do what they did, and were protected by statute.

Mr. HUGHES, having addressed the court, Mr. PYKE and Mr. POWYS replied.

The PRESIDENT said that no court would presume to give judgment at once without considering the various provisions of the Acts of Parliament to which his attention had been directed by counsel and without considering the very able arguments which had been addressed to the court, so that he was not going to deliver any judgment. But he would call their attention to two cases which threw some light on the question, and which they might perhaps look at with some interest. One of those cases was decided in the Supreme Court of New South Wales in 1892. A mandamus was applied for to call upon a Custom-house official to allow certain goods to be entered without paying duty. He had demanded duty. It was the case of *Ex parte Wills & Co.* On the 22nd of December the House of Assembly passed a resolution to impose from the 1st of December customs duties upon certain goods which had previously been admitted to the Colony free of duty, and a Bill to that effect, and retrospective to the 1st of December, was introduced. In December, and before the Bill became law, the applicants imported certain goods, to which the new duties applied. The Collector of

Customs having refused to sign the bills of entry for the said goods until the duty was paid, the applicants applied for a writ of mandamus to compel them to do so. The court refused the writ on the ground that the practice of collecting new duties from the date of the resolution of the House of Assembly, and before the Bill imposing such duties became law, was a well-established and constitutional practice instituted for the protection of the Queen's revenue. The court was bound in the exercise of its functions to refuse to grant a writ of mandamus in favour of a person having strict legal right, when the granting of such writ would prove mischievous and be opposed to well-established policy: *New South Wales L. R.*, Vol. 13, 1891-92. The court decided that even if an action would lie, they would not grant a writ of mandamus. About two or three years afterwards there was another case, *The Colonial Sugar Manufacturing Co. (Lim.) v. Irving* (L. R. Appeal Cases, 1906). In this case, before the action was brought, Parliament had confirmed the resolution, and then it was admitted that it could be decided that the Act would have a retrospective effect, and therefore would legalise what might have been illegal originally, and Lord Davey, in delivering judgment, said, "It is a little difficult to understand the first point taken by the appellants. The Parliament had undoubted power to impose taxation under the express words of section 51 of the Constitution, and it is not now disputed that the Parliament could, if it thought fit, make the Act retrospective, and impose the duties from the date of the resolution. That practice is (it is believed) universally followed in the Imperial Parliament, and (their Lordships were told) is common in the Colonial Legislatures in Acts of this description, and for obvious reasons it is convenient and almost necessary." He (the President) thought it followed from these cases that whether or not the act of the official was illegal, if an Act of Parliament was passed afterwards that would relieve the official from liability—it would act retrospectively. But supposing no Act of Parliament was passed; supposing the resolution was rejected or not confirmed by Parliament. Suppose an action was brought before the resolution was confirmed by Act of Parliament, he suggested that it was a point worth considering whether the court would in its discretion stay the action until the time was come for confirming the resolution by Parliament. But supposing that the resolution was not confirmed by Act of Parliament, the question which had been argued to-day seemed to him to raise this extremely difficult point whether, if the form of resolution was confirmed by Act of Parliament, the action would lie against the official. He thought that in such case the court would probably stay the action; but whether an action would lie or not, that was the question, the only question argued to-day. He would be a very rash man if he were to pronounce any judgment.

On the motion of Mr. JENKS, seconded by Mr. GWYER, a vote of thanks was passed to Mr. Cohen for presiding, and that gentleman having responded, the proceedings terminated.

### Law Students' Social Union.

Chief objects: To unite the law students of England and Wales into one body, having club headquarters in London. To prepare for the free use of members registers of offices and lodgings to let, and of situations vacant and wanted.

The inaugural meeting of this union will be held on Friday, the 5th of November, 1909, at 6 for 6.15 p.m., at the Law Society's Hall, Chancery-lane, W.C. (by kind permission of the council). Admission free; morning dress. The chair will be taken at 6.15 p.m. sharp by W. H. Winterbotham, Esq. (the president of the Law Society). Agenda: (i.) 6.15 p.m. To be proposed by Mr. Chadwick, and seconded: "That this meeting is in favour of co-operation with the King's Club, of 75, Jermyn-street, Piccadilly, W., on terms settled by the Provisional Committee." (ii.) 6.30 p.m. General discussion on the resolution and the terms of co-operation. (iii.) The resolution will be put to the meeting. (iv.) To be proposed by Mr. Powys, and seconded: "That this meeting hereby resolves itself into the 'Law Students' Social Union,' and also empowers the Provisional Committee to administer such union for a further period of six months, and to draw up rules to be approved by the members of the union at their next general meeting." (v.) The chairman will speak to the motion, and then put the resolution to the meeting. The meeting will last about one hour.

Important.—It is earnestly requested that all in favour of the movement will attend the meeting and support the resolutions mentioned above, as upon the decision of the meeting depends the future of the union. Those intending to be present at the meeting are requested to communicate, if possible, with Atherton Powys, joint hon. secretary, 18, Glendower-road, East Sheen, Surrey, from whom further particulars of the union scheme may be obtained.

### Law Students' Societies.

BIRMINGHAM LAW STUDENTS' SOCIETY.—Oct. 26.—A joint debate with the Liverpool Law Students' Association was held, Mr. Norris T. Foster (barrister-at-law) in the chair. The motion before the house was: "That in the interests of health, progress, and social welfare some system of a minimum wage, statutorily fixed, for all able-bodied labourers, artificers, handicraftsmen, and the like, whether male or female, is desirable." Mr. R. K. Chappell (Liverpool) opened in favour of the motion, and was supported by Messrs. H. F. Bensly

(Birmingham), J. T. Peet (Liverpool), H. E. Swallow (Birmingham), and others. Mr. G. A. Baker (Birmingham) opened in the negative, and was supported by Messrs. H. C. Maclean (Liverpool), R. W. Frazier (Birmingham), S. M. Farmer (Liverpool), and others. The chairman summed up in a most interesting manner, and put the motion to the house. The first vote resulted in a majority of one in favour of the affirmative, one speaker on the negative not voting. On being pressed to record his vote, he voted for the negative, and the chairman gave his casting vote for that side also. A hearty vote of thanks to the chairman concluded the proceedings.

## Obituary.

### Mr. J. Inskip.

We regret to announce the death, on the 25th inst., of Mr. James Inskip, solicitor, of Bristol. He was the son of Mr. T. F. Inskip, of Arlesey, Bedfordshire, and was admitted in 1862, having gained the Clifford's Inn prize. He entered into partnership with Mr. Press, and Mr. Brittan subsequently joined the firm, then known as Messrs. Brittan, Press, & Inskip; the style now being Inskip & Son. He soon obtained distinction in his profession. He was, as the *Bristol Times and Mirror* says, head and shoulders above the average practitioner. His range of legal knowledge, especially in shipping and commercial cases, was unrivalled, not only in Bristol, but in a much wider area. Anxious clients with intricate litigation on their hands felt that if they could only obtain Mr. Inskip's personal help, their interests were as safe as they possibly could be. Brother solicitors were filled with admiration for the man's brain power and his unlimited capacity for hard work. He was an intellectual giant amongst advocates. In South Wales he was as well known as in Bristol, and in the recent attempt to amalgamate railway and dock concerns at Cardiff Mr. Inskip was entrusted with the Marquess of Bute's interests. When the Imperial Tobacco Company was formed, Mr. Inskip, who was solicitor to the chief promoters—W. D. and H. O. Wills, Limited—acted as solicitor, and he was largely responsible for the marshalling of the details of that huge enterprise. For some years he remained solicitor to the company. It was not merely, however, as a lawyer that Mr. Inskip was known. He sat for thirty-two years in the Town Council of Bristol, and became an Alderman in 1892, but in 1904 quitted the Council. He stood on two occasions as Parliamentary candidate for East Bristol, but on each occasion was defeated. He was an active Churchman of strong Protestant principles, and was one of the Simeon trustees. Among numerous other appointments, he was legal assessor to the Local Marine Board, a post which he held for many years. He recently gave evidence before the Land Transfer Commission.

## Legal News.

### General.

At a meeting of the West Kent Justices, held at Maidstone on Friday, the 22nd of October, it was resolved that it was desirable to appoint one of the Justices to be Third Chairman of the West Kent Quarter Sessions, who should preside in the absence of the Chairman (the Right Hon. J. G. Talbot, M.P.) or the Deputy Chairman (the Earl of Cranbrook), and Mr. Edgar J. Elgood, of The Manor House, Sidecup, was elected to the new office. Mr. Elgood was called to the bar at Lincoln's-inn in 1875. He was appointed a Justice of the Peace for Kent in 1890.

An Order in Council is published in the *London Gazette* making provision for appeals from the Supreme Court of Queensland. The Order in Council of June 30, 1860, is revoked, and it is provided that appeals shall lie (a) as of right where the matter in dispute is of £500 or upwards; (b) at the discretion of the court where the question involved is of great general or public importance, where no final judgment can be given in consequence of difference of opinion of judges. Application for leave to appeal must be made within twenty-one days of the judgment appealed from, and leave is only to be given upon the appellants entering into security in the sum of £500 for the prosecution of the appeal and for the payment of costs. In case of two or more applications arising out of the same matter, the court may direct the appeals to be consolidated.

The Royal Assent was given by commission on the 20th inst. to the following Bills:—Board of Trade, Secretary of the Board of Agriculture and Fisheries, Assistant Postmaster-General, Trade Boards, Rule Committee, Marine Insurance (Gambling Policies), Local Education Authorities (Medical Treatment), Colonial Naval Defence, Naval Establishments in British Possessions, Telegraph (Arbitration), Irish Handloom Weaving, Sir R. Whittington's Charity, Bridgend (Hope English Baptist Chapel, &c.) Charity, John Marshall's Charity, Lichfield and Longdon Congregational Chapels and Trust Property Charity, Dewsbury and Batley Congregational Chapel Charities, Wortley Congregational Chapel Charity, Metropolitan Ambulances, Workmen's Compensation (Anglo-French Convention), Irvine Harbour Order Confirmation, Hamilton Burgh Order Confirmation, Marriages Provisional Order (No. 2), Local Government Provisional Orders (No. 9), Lune Fisheries Provisional Order, Kilkenny, Castlecomer, and Athy Railway, Bury Corporation, and Edgware and Hampstead Railway.



An effort is being made, says the *Times*, to alter the boundaries of the County Court Circuit No. 24, over which the late Judge Owen presided, before his successor is appointed. The feeling prevails in Monmouthshire that that county ought to be a circuit in itself, and even before the late Judge Owen's death it had been arranged that Sir Ivor Herbert should wait upon the Lord Chancellor and ask him to make the change. The circuit now comprises courts in Glamorganshire, Monmouthshire, Brecknock, and Herefordshire. It is felt that, as the population of Monmouthshire has largely increased in the past twenty-five years, and much extra work has been created by the Workmen's Compensation Act as well as by other statutes, the time has arrived when Monmouthshire should be a self-contained circuit. If brought about the change would, of course, necessitate the re-arrangement of contiguous circuits.

The Government entertain a strong hope, says the Parliamentary correspondent of the *Times*, that the Assurance Companies Bill may be passed into law this session. The negotiations which have been in progress between different parties affected by the Bill have been especially active during the last few days, and there is reason to believe that an agreement has been reached on several outstanding points of difficulty raised by Clause 37, which contains the provisions as to collecting societies and industrial assurance companies. It has already been noted that the Labour Party have withdrawn their blocking motions, and in various quarters disappointment would be felt if the Bill were dropped. That part of the Bill which deals with the publication by companies of a return of their accounts in a form prescribed by statute is the result of numerous conferences between the Board of Trade and assurance companies, and it is stated that practically all the principal interests concerned have signified their agreement to this. Among other matters, a definition is given of insurable interest, and the Bill seeks to legalise past insurances of this nature which are moral.

Most men who are old enough to remember the law of imprisonment for debt prior to its so-called abolition, says Mr. George Kebbell, writing to the *Evening Standard*, will agree its re-enactment would be an advantage not only to the debtor, but to the community at large. And for the following reasons, amongst others: (1) Under that law the Bankruptcy Registrar attended at the gaol once a month, and if a prisoner was unable to satisfy the debt for which he was being detained he was compulsorily made bankrupt. A wise and a merciful course. This led, it is true, to an abuse (which, however, might easily be provided against in any fresh legislation)—namely, the sponging-house (the officers' residence), where the execution debtor might live so long as he could find means to satisfy the officers' extortionate demands. (2) Imprisonment for ever so short a period extinguished the debt, whilst at the present time a man may go to gaol over and over again in respect of the same liability. A curious result of this extinguishment of the debt was that on the afternoon of the 31st December, 1869, the officers were besieged by debtors against whom writs of *Cu Sa* were out, and who insisted on being arrested. Whitecross-street Prison that night was crowded with execution debtors, who were released at six o'clock the next morning (the commencement of the new Act), and amongst those prisoners of a few hours were men who subsequently achieved fame and wealth.

Mr. Justice Phillimore, in charging the grand jury at the Bodmin Assizes on Wednesday, says the *Times*, referred to the fact that they were beginning to get into working order the Act passed last year for the prevention of crime. The Act had already been put in force, and he saw that since he had been on circuit a case had been brought before the Court of Criminal Appeal, and the result was that they were getting the working of the Act into shape. It was somewhat cumbersome, and, he was afraid, somewhat expensive, because it was necessary to prove three convictions at the least, and that might require warders or policemen from various parts of the United Kingdom. They had seen the swing of the pendulum backwards and forwards. Very severe—he had no hesitation in saying too severe—sentences had been passed very often for first or second offence in the old days, and sometimes when he saw the record of an old prisoner he was terrified at the severity of the early sentences he got. Then they went quite in an opposite direction, and very short sentences were passed with very excellent effect every now and then upon first offenders or people who desired to reform. But, unfortunately for that class of people who habitually lived dishonestly, the only effect was that they were let out of prison after a few weeks, and were doing the same acts of dishonesty, and went back again, becoming what was said sometimes of people who became chargeable to the unions, "ins and outs." Now they had come back to something which, he presumed, had the advantages of the old system without its disadvantages.

Writing of the late Professor de Martens in the *Journal of the Society of Comparative Legislation*, Professor Holland says: "So greatly was he in demand as an arbitrator in international controversies as to have been jocularly described as the 'Lord Chancellor of Europe.' He so acted, for instance, in the Newfoundland controversy in 1891, and in the Behring Sea question in 1893. A judge of The Hague Tribunal from its first institution, he was one of those selected to try the first case which came before it, relating to the conflicting claims of the United States and Mexico, respectively, to the 'Fonds pieux des Californies'; and was similarly selected on subsequent occasions. In the Court of Appeal in cases of prize his presence was invaluable. While firmly maintaining what he conceived to be the belligerent rights of Russia, he not seldom corrected the *trop de zèle* of the Prize Courts of first instance. He accompanied the Russian delegates to Portsmouth,

New Haven, and had much to do with the conclusion of the Treaty of Peace signed there on August 23, 1905. His circular mission to the chief European Governments in the spring of 1907 greatly facilitated the work of the second Peace Conference, which met at The Hague in the autumn of that year, when, however, it became too apparent that the health of this great jurist and diplomatist was no longer what it had been. He was able quite recently to travel to Paris, in order to take part in awarding the Empress Mary of Russia's prizes for Red Cross work, in which he had always been deeply interested; and he attended a meeting at the Academy; but on June 20 suddenly expired, in the course of a railway journey from his country property in Livonia to St. Petersburg."

Even members of the legal profession, says a writer in the *Railway News*, were, in the old days, prepared to take heavy—some people might even say "exorbitant"—fees from railway companies. Thus we read that the expenditure incurred in procuring legislative authority to construct railways has been, in many cases, scarcely credible. While the Parliamentary, surveying, and engineering costs of the Kendal and Windermere Company amounted to little more than 2 per cent. on the total outlay of the railway, we are assured that the Parliamentary costs of the Brighton Railway averaged £4,806 per mile, Manchester and Birmingham £5,190, and Blackwall £14,414. The Brighton line had to contend with three or four other companies during two successive sessions, and when the Bill was before the Committee the expense of counsel and witnesses was stated at £1,000 daily, extending over fifty days. The London and Birmingham line escaped much of this cost by coming earlier into the field; but the Parliamentary and surveyors' expenses even then amounted to £72,000, which must be regarded as a reproach on the system of legislation which thus permits impediments to be thrown in the way of works of great and acknowledged usefulness. It is also affirmed that the solicitor's bill of the South Eastern Railway contained 10,000 folios, occupied twelve months in taxation before the Master, and amounted to £240,000. One company had to fight so hard for their Bill that they found, when at length they reached the last stage—that of receiving the Royal Assent—that their preliminary undertakings had cost nearly half a million of money—a sum which had been expended in merely acquiring the privilege of making a railway, and the interest of which has now to be paid by the passengers and goods that travel thereon. Without opposition, the same Bill would have been passed into an Act at a cost not worth mentioning, in comparison with the real expenditure.

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## Court Papers.

### Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE OF					
Date.	EMERGENCY ROTA.	APPEAL COURT No. 2.	Mr. Justice JYCE.	Mr. Justice SWINER EADY.	
Monday ...Nov.	1 Mr Groswell	Mr Goldschmidt	Mr Borrer	Mr Synges	
Tuesday ...	2 Beal	Groswell	Leach	Goldschmidt	
Wednesday ...	3 Borrer	Beal	Farmer	Groswell	
Thursday ...	4 Leach	Borrer	Bloxam	Beal	
Friday ...	5 Farmer	Leach	Theod	Borrer	
Saturday ...	6 Bloxam	Farmer	Church	Leach	
Date.	Mr. Justice WARRINGTON.	Mr. Justice NEVILLE.	Mr. Justice PARKER.	Mr. Justice EVE.	
Monday ...Nov.	1 Mr Bloxam	Mr Beal	Mr Farmer	Mr Church	
Tuesday ...	2 Theod	Borrer	Bloxam	Synges	
Wednesday ...	3 Church	Leach	Theod	Goldschmidt	
Thursday ...	4 Synges	Farmer	Church	Groswell	
Friday ...	6 Goldschmidt	Bloxam	Synges	Beal	
Saturday ...	6 Groswell	Theod	Goldschmidt	Borrer	

### THE COURT OF APPEAL.

MICHAELMAS SITTINGS, 1909.

FROM THE KING'S BENCH DIVISION.

(Final and New Trial List.)

1909.

Solomon v London and North-Western Ry Co appl of defts from judgt of Mr Justice Hamilton, without a jury, West Derby Division of Lancaster, dated May 6, 1909 June 3  
Sims & Holland v Burns and anr appl of plttf from judgt of Mr Justice Sutton, dated May 21, 1909, and cross-notice by Burns, dated June 17, and cross-notice by Stevens, dated June 28, 1909 June 7  
Roe v Hallamore appln of deft for judgt or new trial on appl from verdict and judgt, dated May 26, 1909, at trial before Mr Justice Grantham and a special jury, Middlesex June 7  
Hewinson v Meats appln of deft for judgt or new trial on appl from verdict and judgt, dated June 2, 1909, at trial before Mr Justice Ridley and a special jury, Gloucester June 8  
Marshall v Horniman appln of deft from judgt of Mr Justice Coleridge, without a jury, dated May 19, 1909 June 9

- Polack v Goodwin appln of deft for judgt or new trial on appl from verdict and judgment, dated May 24, 1909, at trial before Mr Justice Grantham and a special jury, Middlesex June 10
- Gould v Lehwass appln of deft from judgt of Mr Justice Phillimore, without a jury, Middlesex, dated May 25, 1909 June 11
- Joplin's Brewery Co ld v Law Guarantee Trust and Accident Soc ld appln of defts for judgment or new trial on appl from verdict and judgment, dated March 17, 1909, at trial before Mr Justice Sutton and a special jury, Lancaster June 14
- Bunning v Mayor, &c, of Cheltenham appl of defendants from judgt of Mr Justice Jelf, without a jury, Birmingham, dated May 26, 1909 June 14
- Thorp v Universal Motor Cab Co ld appln of deft Ker for judgt or new trial on appl from verdict and judgt, dated May 12, 1909, at trial before Mr Justice Coleridge and a common jury, Middlesex June 15
- Lowery v Walker appl of plttf from judgt of Justices Darling and Pickford, dated May 24, 1909 June 16
- Monro v Hicks appln of deft for judgt or new trial on appl from verdict and judgt, dated June 9, 1909, at trial before Mr Justice Channell and a special jury, Middlesex June 17
- Harrell v London & India Docks Co appl of plttf from judgt of Justices Jelf and Bray (Divisional Court), dated May 25, 1909 June 17
- Ross v Duffin & Son appln of plttf in person for judgt or new trial on appl from verdict and judgt, dated May 27, 1909, at trial before Mr Justice Sutton and a common jury, Middlesex (security ordered) June 21
- United Counties Theatres ld v Duprez appl of deft from judgt of Mr Justice Pickford, without a jury, Middlesex, dated June 8, 1909 June 22
- Gibson v Bagley appl of deft from judgt of Mr. Justice Grantham, dated June 11, 1909 June 22
- Mercantile Steamship Co ld and anr v Hall appl of plttfs from judgt of Mr Justice Pickford, without a jury, Middlesex, dated May 25, 1909 June 23
- Weiner v Harris appl of deft from judgt of Mr Justice Pickford, without a jury, Middlesex, dated May 25, 1909 June 24
- Dick v Smith appl of deft from judgt of Mr Justice Grantham and a special jury, Middlesex, dated June 14, 1909, and cross-notice by plttf, dated July 24, 1909 June 24
- Stockwell & Co ld v Edwards & Co appl of defts from judgt of Mr Justice Sutton, without a jury, Middlesex, dated June 11, 1909 June 24
- London County Council v Rhodes appl of applicants from judgt of The Lord Chief Justice and Mr Justice Jelf, dated June 14, 1909 June 25
- Parry v Great Western Ry Co appln of defts for judgt or new trial on appeal from verdict and judgt, dated Jan 5, 1909, at trial before Mr Justice Walton and a special jury, Chester June 25
- Sharpe v Bingham appln of deft for judgt or new trial on appl from verdict and judgt, dated June 21, 1909, at trial before Mr Justice Hamilton and a special jury, Nottingham June 26
- Graham v Smith appln of plttf for judgt or new trial on appl from verdict and judgt, dated June 10, 1909, at trial before Mr Justice Coleridge and a common jury, Middlesex June 28
- In the Matter of The Arbitration Act, 1889, and In the Matter of an Arbitration between W J King and R P Houston appl of R P Houston from judgt of Justices Darling and A T Lawrence (Divisional Court), dated June 23, 1909 June 30
- Riddle v The Nugget Polish Co ld appl of defts from judgt of Mr Justice Channell, without a jury, Middlesex, dated June 30, 1909 June 30
- Towersey v Crook (Issue) appl of deft from judgt of Mr Justice Ridley, without a jury, Middlesex, dated June 30, 1909 July 2
- The Mayor, &c, of Kingston-on-Thames (Applicants) v Baverstock and ors (Respts) appl of applicants from judgt of The Lord Chief Justice and Justices Jelf and Sutton, dated June 9, 1909 July 2
- In re The Agricultural Holdings and In re an Arbitration between Phillips and anr (Exors, &c) and Allcroft and anr appl of Phillips and anr (Exors) from judgt of Judge Gye, County Court, Hampshire (Andover), dated June 12, 1909 July 2
- Jewish Boarding Schools ld v Jacobs appln of plttfs for judgt or new trial on appl from order dated June 15, 1909, at trial before Mr Justice Sutton and a common jury, Middlesex July 3
- Neilson v Horniman and ors appl of plttf from judgt of Mr Justice Ridley, without a jury, Middlesex, dated June 28, 1909 July 5
- In re an Arbitration between Enoch & Zaretsky Bock & Co ld appeal of Zaretsky Bock & Co ld from judgt of Justices Darling and A T Lawrence, dated June 22, 1909 July 5
- Coxon v Whitley Motor & Cycle Co appln of defts for judgt or new trial on appl from verdict and judgt, dated July 3, 1909, at trial before Mr Justice Grantham and a special jury, Newcastle-on-Tyne July 6
- Blumberg v Houchin appl of plttf from judgt of Mr Justice Pickford, without a jury, London, dated July 7, 1909 July 7
- T Dawson v Hibburn Colliery & Hibburn, &c, Soc ld appl of defts from judgt of Mr Justice Grantham and a special jury, Newcastle-on-Tyne, dated June 18, 1909 July 8
- The Governors of St. Thomas' Hospital v Richardson appl of plttfs from judgt of Mr. Justice Hamilton, without a jury, Middlesex, dated June 11, 1909 July 9
- Russell v Amalgamated Soc of Carpenters and Joiners and ors appl of plttf from judgt of Mr Justice Phillimore (point of law), dated April 29, 1909 July 12
- Rivett (Appl) v Gibson and anr (Respts) appl of applt from judgt of The Lord Chief Justice and Justices Jelf and A T Lawrence, dated June 14, 1909 July 12
- Galbraith v Grimshaw & Baxter appl of defts from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 6, 1909 July 12
- Foley's Charity Trustees v Dudley Corpn appl of defts from judgt of Justices Darling and A T Lawrence, dated June 22, 1909 July 14
- Victor v Goddard appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 8, 1909, at trial before Mr Justice Lawrence and a special jury, Middlesex July 15
- Attorney-Gen v Barnet District Gas & Water Co appl of defts from judgt of Mr Justice Ridley, dated July 13, 1909 July 15
- Humphery v Furber appln of deft for judgt or new trial on appl from verdict and judgt, dated July 8, 1909, at trial before Mr Justice Sutton and a special jury, Winchester July 15
- Musgrave & Sons ld v Mayor, &c, of the City of Bradford appl of plttfs from judgt of Mr Justice Darling, without a jury, Middlesex, dated June 19, 1909 July 16
- Charles Barker & Son v Mercantile Bank of London appl of defts from judgt of Mr Justice Lawrence, dated July 3, 1909 July 16
- Jones v Great Central Ry Co appln of defts for judgt or new trial on appl from verdict and judgt, dated June 18, 1909, at trial before Mr Justice Bucknill and a special jury, York July 16
- Schofield v Mayor, &c, of Bolton appl of defts from judgt of Mr Justice Coleridge and a common jury, Salford Division, dated July 12, 1909 July 17
- Wheeler v Laitner appl of plttf from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 6, 1909 July 19
- Gill v Dormer and ors appl of deft Wolkenstein from judgt of Mr Justice Phillimore, without a jury, Middlesex, dated May 4, 1909 July 19
- Cohen & Co v Ulph & Co appl of defts from judgt of Mr Justice Bucknill, without a jury, Middlesex, dated Jan 9, 1909 July 19
- Griffiths v Pilbrow appl of deft from judgt of Mr Justice Pickford, without a jury, Middlesex, dated Jan 30, 1909 July 19
- Llangatock v Watney, Combe, Reid & Co ld appl of defts from judgt of Mr Justice A T Lawrence (special case), dated July 12, 1909 July 19
- Hoffman v Robinson appl of deft from judgt of Mr Justice Ridley, without a jury, Middlesex, dated June 29, 1909 July 20
- Atkins v Hutton appl of plttf from judgt of Justices Darling and Jelf, dated July 13, 1909 July 21
- Miller v The Pilot Insee Corpn appl of plttf from judgt of Mr Justice Bucknill, dated July 9, 1909 July 22
- Moorat v Romani appl of deft from judgt of Mr Justice Pickford, without a jury, Middlesex, dated July 21, 1909 July 23
- Boyd v Higgs' Dairy Farm ld and ors appl of deft P. Shorrocks for judgt or new trial on appl from verdict and judgt, dated July 9, 1909, at trial before Mr Justice Walton and a common jury, Middlesex July 23
- Karno v Spratt appln of plttf for judgt or new trial on appl from verdict and judgt, dated June 28, 1909, at trial before Mr Justice Channell and a common jury, Devon July 24
- Austwick v Midland Ry Co appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 14, 1909, at trial before Mr Justice Grantham and a special jury, Leeds July 24
- Oppenheim v Park Hall & Hotel Co ld appln of defts for judgt or new trial on appl from verdict and judgt, dated July 12, 1909, at trial before Mr Justice Channell and a common jury, Bristol July 24
- J Briggs and ors v Hinde appln of plttfs for judgt or new trial on appl from verdict and judgt, dated July 12, 1909, at trial before Mr Justice Grantham and a special jury, Leeds July 24
- Scott v Griffiths appl of plttf from judgt of Mr Justice A T Lawrence, without a jury, Middlesex, dated May 20, 1909 July 26
- Lawford v Sir W Armstrong, Whitworth & Co ld appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 15, 1909, at trial before The Lord Chief Justice and a special jury, Middlesex July 26
- Hare & Co v Ocean Accident & Guarantee Corpn ld appl of plttfs from judgment of Justices Darling and Phillimore (Divisional Court), dated July 10, 1909 July 26
- Eason v Murray appl of plttf from judgment of Justices Darling and Jelf, dated July 14, 1909 July 28
- Weston v Brown & Sons ld appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 13, 1909, at trial before Mr Commissioner Ivory, K.C., and a common jury, Chelmsford July 28
- The King v The South-Eastern Ry Co appl of defts from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 19, 1909 July 28
- Davies v E Hulton & Co ld appln of defts for judgt or new trial on appl from verdict and judgt, dated July 24, 1909, at trial before Mr Justice Hamilton and a special jury, Liverpool July 28
- Ashton & Mitchell v Van Biene appl of plttf from judgt of Mr Justice Phillimore, without a jury, Middlesex, dated July 23, 1909 July 29
- Colbert v Lancashire & Yorkshire Ry appl of defts from judgt of Justices Darling and Jelf, dated July 19, 1909 July 30



Platt v London & North-Western Ry Co appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 9, 1909, at trial before The Lord Chief Justice and a special jury, Middlesex July 30

Walke v Talbot appl of plttf from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 16, 1909 July 31

Marks v Skinner and ors appln of plttfs for judgt or new trial on appl from verdict and judgt, dated July 24, 1909, at trial before Mr Justice Lawrance and a special jury, Middlesex July 31

J Butler & Co v Mirrlees, Bickerton & Day ld appl of defts from judgt of Mr Justice Grantham and a special jury, West Riding, Yorkshire, dated July 17, 1909 July 31

Joseph v John Fenton & Sons ld appln of defts for judgt or new trial on appl from verdict and judgt, dated July 16, 1909, at trial before Mr Justice Lawrance and a special jury, Middlesex Aug 3

Dendy v Evans and anr appl of defts from judgt of Mr Justice Darling, without a jury, Middlesex, dated July 24, 1909 Aug 4

The Holland Steamship Co ld and The National Steam Shipping Co v The Bristol Steam Navigation Co ld appl of defts from judgt of Mr Justice Hamilton, without a jury, Middlesex, dated May 18, 1909 Aug 5

Matthews v The Hygienic Institute appln of plttfs for judgt or new trial on appl from verdict and judgt, dated July 26, 1909, at trial before Mr Justice Channell and a common jury, Glamorganshire Aug 6

The King v The Board of Education appl of respts from judgt of The Lord Chief Justice and Justices Darling and A T Lawrence (Divisional Court), dated July 30, 1909 Aug 10 Same v Same appl of respts from judgt of The Lord Chief Justice and Justices Darling and A T Lawrence (Divisional Court), dated July 30, 1909 Aug 10

Joseph Watson & Sons ld v Midland Ry Co (Railway and Canal Commission) appl of applicants from judgt of Mr Justice A T Lawrence, The Hon A E Gathorne Hardy, and Sir James Woodhouse, dated July 28, 1909 Aug 11

Davies v Chamberlain and anr appl of defts from judgt of Mr Justice Pickford, without a jury, Middlesex, dated July 28, 1909 Aug 12

In re L S C B Weatherley (a Solr, &c) and In re Solicitors' Act, 1888, appl of L S C B Weatherley from judgt of The Lord Chief Justice and Justices Darling and A T Lawrence, dated July 28, 1909 Aug 12

Thackeray v The Encore ld and ors appln of plttf for judgt or new trial on appl from verdict and judgt, dated July 22, 1909, at trial before Mr Justice Walton and a common jury, Middlesex Aug 13

Barkworth and anr v Gant appl of plttfs from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 13, 1909 Aug 13

In re E B Loynes & H E Loynes (Solrs, &c) appl of W. Bennett from order in chambers of Mr Justice Bucknill, dated July 21, 1909 Aug 13

The Licensed Victuallers' Asylum v Giles appl of plttfs from judgt of Mr Justice Jelf, without a jury, Middlesex, dated July 22, 1909 Aug 16

Barry v Pardy appl of deft from judgt of Mr Justice Pickford, without a jury, Middlesex, dated July 30, 1909 Aug 24

Hall v Marconi's Wireless Telegraph Co ld appl of plttf from judgt of Mr Justice Ridley, without a jury, Middlesex, dated July 15, 1909 Aug 31

Riggall v Forman appl of plttf from judgt of Mr Justice Lawrance, without a jury, Lincoln, dated July 29, 1909 Sept 4

Duff v McHardy appl of deft from judgt of Justices Jelf and A T Lawrence, dated June 19, 1909 Sept 21

#### FROM THE PROBATE, DIVORCE, AND ADMIRALTY DIVISION (ADMIRALTY).

With Nautical Assessors.

(Final List.)

1909.

Egyptian—1909—Folio 175 The Owners of the Steamship Nelson v The Owners of the Steamship Egyptian (damage) appl of defts from judgment of Mr Justice Bargrave Deane, dated June 29, 1909 July 6

Frankfort—1909—Folio 184 The Owners of Steamship Thornley v The Lancashire & Yorkshire Ry Co (damage) appl of defts from judgt of The President, dated May 28, 1909, and cross-notice by plttfs, dated July 28, 1909 July 20

Astrakhan—1909—Folio 129 The King and Government of Denmark v The Owners of the Steamship Astrakhan (damage) appl of defts from judgt of Mr. Justice Bargrave Deane, dated June 25, 1909 Aug. 9

Without Nautical Assessors.

1909.

Avoca—1908—Folio 343 Owners of Cargo of Steamship Nordsee v Robert Robertson Shankland and Robert Gardner Mountain & Co ld appl of plttfs (judgment creditors) from judgt of The President, dated May 28, 1909 June 24

(Interlocutory List.)

Lindisfarne—1908—Folio 318 The Owners of the French Sailing Vessel Xenophon v The Owners of The Russian Sailing Ship Lindisfarne appl of defts from order of Mr Justice Bargrave Deane, dated July 12, 1909 July 24

Trevi—1908—Folio 425 The Owners of Steamship Zoe v The Owners of Steamship Trevi appl of defts from order of Mr Justice Bargrave Deane, dated July 26, 1909 August 4

#### FROM THE KING'S BENCH DIVISION.

(Interlocutory List.)

1908.

In the Matter of an Arbitration between Messrs Enoch & Sons, Proprietors of St. James' Hall and Vert Sinkins Concert Direction ld, and In the Matter of the Arbitration Act, 1889 appl of Enoch & Sons from order of Mr Justice Coleridge, dated March 28, 1908 April 8 (s o liberty to apply to restore)

Grant & Sons v Pickfords ld appl of defts from order of Mr Justice Ridley, dated May 1, 1908 (s o liberty to restore) April 12

1909.

Campbell & Handman v Erpingham Rural District Council, appl of plttfs from order of Mr Justice Bucknill, dated Jan 15, 1909 Jan 29 (part heard before Vaughan Williams, Buckley and Kennedy, LJJ)

Llewelyn v Glantawe appl of deft from order of Mr Justice Bucknill, dated July 23, 1909 July 28

Weidemann v The Chartered Bank of India, Australia and China appl of clmt from order of Mr Justice Bucknill, dated July 13, 1909 July 28

Cadbury Bros ld and ors v Standard Newspapers ld and cross-notice appl of plttfs from order of Mr Justice Bucknill, dated July 29, 1909 July 29

Paul v Gardiner appl of deft from order of Mr Justice Bucknill, dated July 19, 1909 July 29

Babcock & Wilcox ld v Spearing appl of plttfs from order of Mr Justice Bucknill, dated July 19, 1909 July 30

Same v Same appl of deft from order of Mr Justice Bucknill, dated July 19, 1909 July 30

Johnson (trading as Adcock, Easton & Co) v The Guardians of St Mary, Islington appl of plttf from order of Mr Justice Bucknill, dated July 14, 1909 August 3

Carpenter v Labouchere appl of deft from order The Lord Chief Justice, dated July 27, 1909 August 4

Goldkuhl v Allen & Norris appl of plttf from order of Mr Justice Bucknill, dated July 30, 1909 August 5

Wylar and anr v Lewis and anr appl of plttfs from order of Mr Justice Phillimore, dated July 28, 1909 August 10

Bodman v Burgoyne, Blanchard & Co appl of defts from order of Mr Justice Bucknill, dated July 31, 1909 August 12

Chester Water Works v Guardians of the Poor, &c, Chester appl of defts from order in Chambers of Mr Justice Hamilton, dated August 5, 1909 August 19

Hopmann v Paterson & Co ld appl of defts from order in Chambers of Mr Justice Hamilton, dated August 5, 1909 August 24

R Empson ld v Gonin appl of deft from order of Mr Justice Hamilton, dated August 31, 1909 Sept 6

Trust Company of America v Von Horst appl of plttfs from order of Mr Justice Neville, dated Sept 7, 1909 Sept 13

Allen v Cooper and ors appl of plttf from order of Mr Justice Neville, dated Sept 14, 1909 Sept 18

Universal Stock Exchange ld v Cook & Co and anr appl of deft Middle- ton from order of Mr Justice Neville, dated Sept 7, 1909 Sept 12

Parsons & Henderson v Wolf appl of deft from order of Mr Justice Neville, dated Sept 21, 1909 Sept 28

IN RE THE WORKMEN'S COMPENSATION ACTS, 1897 AND 1906.

(From County Courts.)

1909.

Littleford v Connell appl of respt from award of County Court (Middlesex, Uxbridge), dated July 1, 1909 July 22

Cowan v Simpson appl of applicant from award of County Court (Hampshire, Southampton), dated July 6, 1909 July 23

Mercer v Hilton appl of respt from award of County Court (Lancashire, Manchester), dated July 12, 1909 July 23

Armstrong v Russell (trading, &c) appl of respt from award of County Court (Lancashire, Manchester), dated July 12, 1909 July 23

Marshall v The Orient Steam Navigation Co ld appl of respts from award of County Court (Essex, Grays Thurrock), dated July 20, 1909 July 23

Turner v Brooks & Doney ld appl of applicant from award of County Court (Lancashire, Manchester), dated July 7, 1909 July 27

Horsman v The Glasgow Navigation Co ld appl of respts from award of County Court (Lancashire, Oldham), dated July 8, 1909 July 29

Berryman v C H Glover & Co ld appl of applicant from award of County Court, dated July 8, 1909 July 29

Hill v The Ocean Coal Co ld appl of applicant from award of County Court (Glamorganshire, Pontypridd), dated July 14, 1909 July 30

Cook v Mayor, &c, of Kensington appl of respts from award of County Court (Middlesex, Marylebone), dated July 20, 1909 August 3

Ruabon Coal, &c, Co ld v Thomas appl of applicants from award of County Court (Denbighshire, Wrexham), dated July 14, 1909 August 4

Phillips v Carlton Main Colliery Co ld appl of respts from award of County Court (Yorkshire, Barnsley), dated July 14, 1909 August 7

Bramley v A Evans & Sons appl of applicant from award of County Court (Middlesex, West London), dated July 26, 1909 August 7

Walker v The Owners of the Ship "Pericles" appl of applicant from award of County Court (Middlesex, Marylebone), dated July 19, 1909 August 7

Thackway v Connelly & Sons appl of applicant from award of County Court (Herefordshire, Hereford), dated July 20, 1909 August 9

Gill v Marsh, Jones & Cribb Id appl of respts from award of County Court (Yorkshire, Leeds), dated July 21, 1909 Aug 10.  
Howells v The Ebbw Vale Steel Co Id appl of applicant from award of County Court (Monmouthshire, Tredegar), dated Aug 3, 1909 Aug 18.  
Anderson and ors v Mayor, &c, of Pwllheli appl of respts from award of County Court (Carmarthenshire, Pwllheli), dated Aug 3, 1909 Aug 18.  
Morgan v Owners of Vessel "Tynron" appl of applicant from award of County Court (Cardiganshire, Aberavon), dated Aug 5, 1909 Aug 25.  
Proctor & Sons v Robinson appl of applicants from award of County Court (Derbyshire, Derby and Long Eaton), dated Aug 3, 1909 August 25.  
Butt v Gellyceidrim Colliery Co Id appl of respts from award of County Court (Carmarthenshire, Llandilo-fawr), dated Aug 12, 1909 August 26.  
Roberts v The Crystal Palace Football Club Id appl of respts from award of County Court (Surrey, Croydon), dated Aug 11, 1909 Aug 28.  
Aug 28 Walker v Same appl of respts from award of County Court (Surrey, Croydon), dated Aug 11, 1909 Aug 28.  
The Cawdor & Garmant Collieries Id v Jones appl of respt from award of County Court (Carmarthenshire, Llandilo-fawr), dated Aug 18, 1909 Aug 30.  
The Gellyceidrim Colliery Co Id v Rogers appl of respt from award of County Court (Carmarthenshire, Llandilo-fawr), dated Aug 12, 1909 Aug 30.  
Shaw v Wigan Coal and Iron Co Id appl of respts from award of County Court (Lancashire, Leigh), dated Aug 27, 1909 Sept 16.  
N.B.—The above list contains Chancery, Palatine, and King's Bench final and interlocutory appeals, &c., set down to October 4, 1909.

## Winding-up Notices.

London Gazette.—Friday, Oct. 22.  
JOINT STOCK COMPANIES.

**AGYLE, LONDON, LTD.**—Creditors are required, on or before Nov 6, to send their names at addresses, and particulars of their debts or claims, to Robertson Lawson, 34, Old Broad st. Stephenson & Co, Lombard st, solors for the liquidator.  
**BOULDER DEEP LEVELS (1907), LTD.**—Creditors are required, on or before Dec 3, to send their names and addresses, and the particulars of their debts and claims, to William Ernest Treweek, liquidator.  
**G. OWEN & CO, LTD.**—Ptn for winding up, presented Oct 18, directed to be heard on Nov 2. Boundaries at 12, London wall, solors for ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Nov 1.  
**GREENLAND, PIERSON & CO, LTD (IN VOLUNTARY LIQUIDATION)**—Creditors are required, on or before Nov 16, to send their names and addresses, and the particulars of their debts or claims, to Frank C. Bovan, Bank bldg, Swansea, liquidator.  
**HANNAH'S STAB, LTD.**—Creditors are required, on or before Dec 3, to send their names and addresses, and the particulars of their debts or claims, to William Ernest Treweek, liquidator.  
**HARRY BAKER, LTD.**—Ptn for winding up, presented Oct 19, directed to be heard Nov 2. Shipper Tucker, Warwick st, Gray's inn, solors for the ptners. Notice of appearing must reach the above named not later than 6 o'clock in the afternoon of Nov 1.  
**KERN & SON, LTD.**—Creditors are required, forthwith, to send their names and addresses, and the particulars of their debts or claims, to Herbert James Eldridge, 12, St Mary Axe, liquidator.  
**MOROS GAS AND VAL SUPPLY CO, LTD.**—Ptn for winding up, presented Oct 18, directed to be heard Nov 2. Knight, Cannon st, solors for the ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Nov 1.  
**POORE, PATTIN & STEWART, LTD.**—Creditors are required, on or before Nov 9, to send their names and addresses, with particulars of their debts or claims, to Thomas Ashby Wall, 37, King st, Chesapeake, liquidator.  
**S. A. C. SINDICATE, LTD (IN VOLUNTARY LIQUIDATION)**—Creditors are required, on or before Nov 15, to send their names and addresses, and the particulars of their debts or claims, to Arthur Hedden, liquidator.

London Gazette.—Tuesday, Oct. 26.  
JOINT STOCK COMPANIES.

**ADDRESSOGRAPH, LTD.**—Ptn for winding up, presented Oct 23, directed to be heard Nov 9. J. H. & J. Y. Johnson, Lincoln's inn fields, solors for the ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Nov 8.  
**"ADVERT" NOVELTY CO, LTD (IN VOLUNTARY LIQUIDATION)**—Creditors are required, on or before Nov 7, to send their names and addresses, and the particulars of their debts or claims, to E. G. Fugh, 61, High rd, South Tottenham, liquidator.  
**BUCKINGHAM GATE GARAGE AND ENGINEERING CO, LTD.**—Creditors are required, on or before Nov 14, to send their names and addresses, and the particulars of their claims, to Henry Francis Waller, 63, Queen Victoria st. Nove & Co, solors to the liquidator.  
**EMIL FRIEDLEY, LTD.**—Ptn for winding up, presented Oct 22, directed to be heard at Bradford on Nov 10. Watson & Co, Bradford, solors for the ptners. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of Nov 10.  
**KINGSIDE ZINC BLEND CO, LTD.**—Creditors are required, on or before Nov 11, to send their names and addresses, with particulars of their debts or claims, to James Herbert Gold, Widdington, Northwick, liquidator.  
**METROPOLITAN HORSE SHOEING CO, LTD.**—Creditors are required, on or before Nov 30, to send their names and addresses, and the particulars of their debts or claims, to James Robt Dickinson and John Charles Price, 45, Glasshouse st, Regent st, liquidators.

## Resolutions for Winding-up Voluntarily.

London Gazette.—Friday, Oct. 22.

**AIR TIGHT SEALING DEVELOPMENT SYNDICATE, LTD (Reconstruction)**  
**WOOLLEY'S, LTD (Reconstruction)**  
**HANNAH'S STAB, LTD.**  
**BOULDER DEEP LEVELS (1907), LTD.**  
**JOSEPH MACHIN & NEWBOW, LTD.**  
**HEMER BRICK CO, LTD.**  
**KWIL, LTD.**  
**SOCIETE DES ANCIENS ETABLISSEMENTS CHENARD ET WALKER (AGENCE D'ANGLETERRE), LTD.**  
**DREYHAGEN COURIER NEWSPAPER STEAM PRINTING AND PUBLISHING CO, LTD.**  
**SHIFFIN IRONWORKS CO, LTD.**  
**GREENLAND, PIERSON & CO, LTD.**

**PROVINCIAL RECREATION, LTD.**  
**CONSOLIDATED EXPLORATION AND DEVELOPMENT (RHODESIA) CO, LTD.**  
**THE BOX SYNDICATE, LTD.**  
**NAHEM & BE EZE, LTD.**  
**ADDRESSOGRAPH, LTD.**  
**WEST AUSTRALIAN GOLDFIELDS, LTD.**  
**MORIARTY & CO, LTD.**  
**LONDON PARIS SYNDICATE, LTD.**  
**TAMBOURAN SYNDICATE, LTD**  
**BROOMHALL MINES, LTD (Reconstruction).**

London Gazette.—Tuesday, Oct. 25.

**"TORRINGTON" STEAMSHIP CO, LTD.**  
**"WELLINGTON" STEAMSHIP CO, LTD.**  
**"IDDELSLEIGH" STEAMSHIP CO, LTD.**  
**"DUNSTON" STEAMSHIP CO, LTD.**  
**"NORTHAM" STEAMSHIP CO, LTD.**  
**"TOLBIDGE" STEAMSHIP CO, LTD.**  
**"APFELDORF" STEAMSHIP CO, LTD.**  
**"CHORLEY" STEAMSHIP CO, LTD.**  
**"WOODA" STEAMSHIP CO, LTD.**  
**"WESTWARD HO" STEAMSHIP CO, LTD.**  
**"SOUTHPORT" STEAMSHIP CO, LTD.**  
**"CHULMELIGH" STEAMSHIP CO, LTD.**  
**"SHAWDON" STEAMSHIP CO, LTD.**  
**"SIR W. T. LEWIS" STEAMSHIP CO, LTD.**  
**"LADY LEWIS" STEAMSHIP CO, LTD.**  
**BOSSALINI & CO, LTD.**  
**FRANCIS NEWTON, LTD.**  
**SREEN ESTATE, LTD.**  
**H. LANGES SUCCESSIONS, LTD.**  
**NEW AXIM CO, LTD.**  
**BRUNSTER, HUNT & CO, LTD.**  
**DYER OPTIC FURN ABRAHAM WATTS CO, LTD.**  
**SYNDICATE LAMP CO, LTD.**  
**PRESTON WAREHOUSING CO, LTD.**  
**DULCES NOMBRES SILVER MINING CO, LTD.**  
**ATOME EXTENDED MINES, LTD.**  
**PARK MOTOR CAR CO, LTD.**

## The Property Mart.

Forthcoming Auction Sales.

Nov. 1.—Messrs. ALDRIDGE, DOUGLAS & Co., on the premises, at 11: Detached House (see advertisement, back page, Oct. 23).  
Nov. 1.—Messrs. DANIEL & IVERSON, at the Swan Hotel, Stratford, E., at 8: Valuable Building Plots; and Nov. 16, at the Mart, at 2: Freehold Residences and Leasehold Investments (see advertisement, page xv, this week).  
Nov. 3.—Messrs. SALTER, REX & Co., at the Mart, at 2: Freehold Ground-rent (see advertisement, page xv, this week).  
Nov. 4.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, at 2: Absolute Reversion, Policies of Assurance, Stocks and Shares, &c. (see advertisement, page xvi, this week).  
Nov. 10 and 11.—Messrs. HARMON, at 30, Finchley-road, N.W.: Furniture and Effects (see advertisement, page xv, this week).  
Nov. 10.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, at 2: Leasehold Investment and Freehold Ground-rent (see advertisement, page xv, this week).  
Nov. 10.—Messrs. DAVID BURNETT, SON, & BADDLEY, at the Mart, at 2: Life Interest in Freehold and Leasehold Properties (see advertisement, back page, Oct. 23).  
Nov. 11.—Messrs. FAREBROTHER, ELLIS & Co., at the Mart, at 2: Ground-rent, Leadenhall-street, and Long Leasehold Property, Arundel-street, Strand (see advertisement, back page, Oct. 23).  
Nov. 23.—Messrs. DIBDENHAN, TEWSON, RICHARDSON & Co., at the Mart, at 2: Freehold Ground-rents (see advertisement, page xv, this week).  
Dec. 8.—Messrs. TROLLORS, at the Mart: Residence (see advertisement, page xv, this week).

## Creditors' Notices

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—Tuesday, Oct. 17.

**ABERNALL, WALTER FRANCIS, Dumbreck rd, Hertis Hill, Storekeeper** Nov 12 Evans & Co, Thebalds rd, Bedford row  
**BARTLEY, WILLIAM FREDERICK, Eastbourne, Bank Manager** Nov 15 Larkin, Warminster rd, South Norwood  
**BERFORD, HUGH BURNELL, Palace gardens ter, Kensington** Nov 8 Knapp-Fisher & Sons, Buckingham gate  
**BOLTON, THOMAS JAMES, Little James st, Bedford row, Carman** Nov 30 Maskell & Niblet, John st, Bedford row  
**BROWN, JAMES, Sheffield** Nov 30 Taylor & Hammet, Sheffield  
**BROWN, ARY ELLEN, Sheffield** Dec 1 Taylor & Hammet, Sheffield  
**BYNNE, COL WILLIAM ERNEST, Dorchester** Nov 15 Wood & Co, Raymond bldg, Gray's inn  
**BUCKHAM, GEORGE, North Berwick, Haddington** Nov 12 Brockbank & Co, Whitehaven  
**CARTWRIGHT, REV JAMES GRAY, Newport, Essex** Nov 16 Metcalf, Minors  
**CLARK, JOSEPH, Cranford, Suffolk, Farmer** Nov 20 Ling, Framingham  
**COATES, WILLIAM IMBERTON, Sedgfield, Durham** Oct 31 Lodge, Sedgfield, Durham  
**COATES, ANN, Sedgfield, Durham** Oct 21 Lodge, Sedgfield, Durham  
**COPPEY, SARAH WORKMAN, Bristol** Nov 19 Brittan & Co, Bristol  
**CRANDELL, HARRIET, Old Denaby, nr Rotherham, Yorks** Nov 1 J W & A E Hattersley, Mexborough  
**DANSON, ARTHUR JAMES, Yeovil** Nov 15 Bradley & Co, Cullum st  
**FINDON, ELIZABETH, Stratford on Avon** Oct 31 Th Lips, Stratford on Avon  
**HARDEN, EDWARD, Ovington st, Chelsea** Oct 31 Gibson & Co, Portugal st bldg, Lincoln's inn  
**HARDING, CAROLINE, Brockley** Nov 11 Random & Co, Deptford  
**HARRISON, JOHN, Newark on Trent** Nov 19 Larken & Co, Newark on Trent  
**HIGGS, JAMES SHALMAN, Rochester** Nov 7 Watson, High st, Rochester  
**KEELING, JAMES HURD, Sheffield, Doctor** Nov 15 Parker & Brailsford, Sheffield  
**KEELING, MELITA BRACKENBURY PEARSON, Sheffield** Nov 15 Parker & Brailsford, Sheffield  
**KEMP, GEORGE, Haywards Heath** Nov 2 Hillman, Lewes  
**KIDD, GEORGE, York, Builder** Nov 16 E J & A Peters, York  
**KIDD, SOPHIA, York** Nov 16 E J & A Peters, York  
**MACKINNON, HENRY, Devonport** Nov 10 Pearce, Devonport  
**OATES, HANNAH, Bradford** Nov 13 Wright & Co, Bradford  
**PEARSON, WILLIAM, Scrooby, Notts** Nov 8 Andrews, Doncaster  
**PURMAN, FREDERICK, Weymouth st, Portland pl** Nov 15 Harman & Son, Great Portland st  
**RATCLIFFE, EMMA, Mytholmroyd, Yorks** Nov 5 Shaw, Hebden Bridge  
**RUSSELL, GEORGE JAMES, York, Draper** Nov 16 E J & A Peters, York  
**STEVENS, WILLIAM, Tinsley, Sheffield** Nov 20 Rodgers & Co, Sheffield  
**STEVENS, SARAH ANN, Tinsley, Sheffield** Nov 20 Rodgers & Co, Sheffield  
**WILSON, JANE, Beverley, Yorks** Dec 14 Rolitt & Sons, Hull  
**London Gazette.—Friday, Oct. 15.**  
**ABBOTT, ANN ELIZA, Prospect Hill, Redditch** Nov 15 Tunbridge & Co, Redditch  
**ABBOTT, ELIZABETH, Redditch, Worcester** Nov 15 Tunbridge & Co, Redditch

ALEXANDER, GEORGE LUGSDIN, Tyne Dock, Durham, Deputy Dock Master Oct 30  
 Mabase & Co, South Shields  
 BLACK, Major-General Sir WILSON, KCB, Charles st, St James' Dec 13 Waltons & Co,  
 Lendenhall st  
 B'ENTON, ANN LE, Hove, Sussex Nov 24 Stuckey & Co, Brighton  
 BROWN, MART, Atherton, Lancs Oct 29 Maria Ellen Haslam, St John's pl, Atherton  
 COMFORT, ELLEN ADA, Whetstone Nov 13 Kingsford & Co, Essex st, Strand  
 CROFTS, SALLY GERTRUDE, Chesterfield Nov 16 Ward & Co, Chesterfield  
 DARLINGTON, BENJAMIN, Bartow, Chester, Farmer Oct 30 Evans, Chester  
 DAY, MARGARET, Bolton, Tobaccoist Nov 1 Bolton  
 DEAN, GEORGE, Matiersey, Notts, Farmer Dec 1 Jones & Wells, East Retford, Notts  
 DUNNING, JAMES, Bolton, Painter Nov 13 Dutton & Son, Bolton  
 ESTOUCART, ALBERT, Gloucester Nov 20 Treasure, Gloucester  
 FOOTE, HENRY, Victoria st, Electrical Engineer Dec 1 Stilgoes, Essex st, Strand  
 FOX, JOSEPH WOODHEAD, Wilsley, Bradford Nov 20 Farrow & Co, Bradford  
 GRANT, JOSEPH BENJAMIN, Sheffield Dec 31 Porrett & Fawcett, Sheffield  
 HARKER, CAROLINE, Ealing Nov 16 Tassell & Son, Faversham  
 HARRISON, HUGH ERAT, Sussex pl, Regent's Park Dec 1 Iliffe & Co, Bedford row  
 HAYES, THOMAS CRAWFORD, Clarges st, Mayfair, Physician Nov 12 Dawes & Son, Angel  
 ct, Throgmorton st  
 HOLDING, GEORGE SAMUEL, Ealing Nov 28 Faithfull & Owen, Lombard st  
 HUDSON, GEORGE, Tufers Hill, Cheddar, Somerset Nov 16 Sinnott & Son, Bristol  
 JORDISON, CHRISTOPHER, Malpas, Chester, Surgeon Oct 29 Lee, Whitechurch  
 LANE, EMILY ELIZA, South st, Park In Nov 30 Pridemore & Sons, Goldsmiths Hall  
 LUDAR, SARAH FRANCES, Southborough, Tunbridge Wells Nov 15 Freere & Co, Lincoln's  
 inn fields  
 LYNE, ALICE, Tregosse, Mawgan in Meneage, Cornwall Nov 9 Thomas, Helston  
 LYON, DINAH, Moss Side, Manchester Nov 1 Heathcote & Webb, Manchester  
 MOTTEAN, ELIZABETH, Cheetham Hill, Manchester Dec 4 Lawson & Co, Manchester  
 O'DONNELL, Lieut-Col JAMES JOHN, Kirkee Poonia, India Nov 14 Hoggood & Dowson,  
 Spring gds  
 OYERD, WILLIAM, Ivychurch, Kent, Farmer Nov 2 Hallett & Co, Ashford, Kent  
 PIERCE, JOHN TIBBELL, J P, D L, Danbury, Essex Dec 1 Hores & Co, Lincoln's inn fields  
 RACKSTRAW, GEORGE, Gravesend Nov 15 Hatten & Co, Gravesend  
 RESWICK, WILLIAM HENRY, Hexham, Northumberland Nov 20 Dees & Thompson,  
 Newcastle upon Tyne  
 ROBINSON, ARTHUR JAMES, Upton, Glos, Farmer Dec 1 Crossman & Co, Thornbury  
 ROBINSON, JOHN, Stockton on Tees, Chartered Accountant Dec 23 Faber & Co, Stockton  
 on Tees  
 SCOTT, MARIA, Manningham, Bradford Nov 13 Ratcliffe & Greenwood, Bradford  
 SMITH, AGNES, Freckleton, Lancs Nov 1 Turner & Sons, Preston  
 SMITH, JANEETTA, Bath Dec 31 King, Bristol  
 STEVENSON, MARGARET, Wimpole st, Cavendish sq, Surgeon Dentist Nov 27 Wild &  
 Collins, Trump st, King st  
 TREGALLAS, SAMUEL, Saint Agnes, Cornwall Nov 10 Hancock, Truro  
 WALKER, CHARLES, Longwood, Huddersfield, Mill Owner Nov 1 Walker, Manchester  
 WARRING, MATILDA CHARLOTTE, Garsforth, Yorks Nov 13 Farrar & Co, Wardrobe pl,  
 Doctors' commons  
 WHITLEY, CHARLES THOMAS, Stretton, Chester, JP Nov 24 Davies & Co, Warrington  
 WARRING, WILLIAM ERS, Walsley, Ecclesfield Nov 13 Farrar & Co, Wardrobe pl,  
 Doctors' commons  
 WARREN, CHARLES, Commercial rd, Stepney, Dairyman Nov 20 R & R T Jennings,  
 Basinghall st

WHITE, SARAH ANN, Newcastle upon Tyne Nov 20 Dees & Thompson, Newcastle upon  
 Tyne  
 WILKINSON, EMILY ANNE, Southborough, Tunbridge Wells Nov 30 Downie & Gadsan,  
 Alton, Hants  
 London Gazette.—Tuesday, Oct. 19.  
 ANSON, Hon and Right Rev ADELBERT JOHN ROBERT, DD, Lichfield Nov 30 Broughton  
 & Co, Great Marlborough st  
 APPS, ELIZABETH, Redhill, Surrey Dec 15 Morris & Nightingale, Redhill  
 BACKLER, HENRY MCLAUCHLAN, Champion park, Denmark hill Nov 15 Bridgman &  
 Co, College hill  
 BACKLER, ELIZA, Champion park, Denmark hill Nov 15 Bridgman & Co, College hill  
 BARKER, JOHN, Lower Broughton, Seif, rd Nov 16 Orrell, Manchester  
 BAYLEY, FREDERICK JOHN, Margate, Licensed Victualler Nov 11 Hills & Shea, Margate  
 BENNETT, JAMES WILLIAM, Branksome Park, Dorset Dec 1 Lowless & Co, Great St Helen's  
 BROOK, EMMA MONTGOMERIE, Drayton gds, South Kensington Dec 1 Pope, Devereux  
 ct, Temple  
 BROWN, MARY, Atherton Oct 29 Maria Ellen Haslam, St John's pl, Atherton  
 BURNSIDE, SIR BRUCE LOCKHART, Raynes Park, Surrey Nov 20 Burchells, The Sanctuary  
 BURTOL, LOUISA, Dudley, Worcester Nov 1 Cooke & Co, Old Hill, Staffs  
 BURNWELL, CHARLES THOMAS CHRIST-BURCH, Hants Nov 8 Kirby & Co, The Sanctuary  
 CARINGTON, WILLIAM, Croydon Nov 20 Gush & Co, Finsbury circus  
 CLARKSON, ALICE, Southport Dec 1 Mawdale & Hadfield, Southport  
 DONAGH, LOUISA, New Brighton, Chester Nov 15 Lawson & Co, Manchester  
 EDWARDS, FREDERICK LEWIS, Bremsa bldgs, Chancery ln Jan 1 Ashley & Co,  
 Frederick's pl, Old Jewry  
 FAGG, SARAH ANN, Croydon Nov 9 Peard & Co, Croydon  
 FALKNER, ELIZABETH, Eastbourne Nov 20 Gush & Co, Essex st, Strand  
 GOULT, ROBERT, Cambridge Nov 20 Foster, Cambridge  
 HAKES, FRANCIS HENRY, Cambridge st, Hyde Park, Chief Cashier GNR Nov 23 Bower  
 & Co, Bremsa bldgs, Chancery ln  
 HANDLEY, FRANCES ALICE, Rochdale Nov 13 Cornish & Forfar, Liverpool  
 LADD, THOMAS ROBERT, Brixton Nov 1 Wilde, Victoria st  
 LOW, LADY ELIZA, Surbiton Nov 30 Car & Co, High Holborn  
 MAIN, MARION ISABELLA, Hove, Sussex Nov 30 Holmes & Co, Brighton  
 MELVILLE, WILLIAM, Wimbledon Dec 1 Andrew & Cheale, Tunbridge Wells  
 MOORE, FRANCIS ROBERTSON, Myton, Warwick, Solicitor Oct 30 Moore & Tibbits,  
 Warwick  
 PIMLOTT, THOMAS, Macclesfield, Hawker Nov 25 Hand, Macclesfield  
 RIDSDALE, ALFRED, Coleherne ct, South Kensington Nov 20 Lindo & Co, West st,  
 Finsbury circus  
 RUDDLE, GEORGE SKRATTE, Bishop's Canning, Wilts Nov 13 Jackson & Jackson,  
 Devizes  
 SCOTT, MATTHEW, Bradford Nov 13 Ratcliffe & Greenwood, Bradford  
 SEED, GEORGE HENRY, West Didsbury, Manchester, Mercantile Clerk Nov 20 Higson &  
 Co, Manchester  
 THOMPSON, JAMES, Bury, Lancs, Builder Nov 23 Butcher & Barlow, Bury, Lancs  
 TURNER, THOMAS WILLIAM, Ipswich, Builder Nov 2 Marshall, Ipswich  
 TWEET, SARAH ELIZABETH, Speldhurst, Kent Nov 12 Buss, Tunbridge Wells  
 WALLER, MAJ-GEN WILLIAM NOEL, Farmington Lodge, Glos Nov 30 Collyer-Bristow &  
 Co, Bedford row  
 WHITE, JOHN, Weymouth Nov 22 Andrews & Co, Weymouth  
 WHITHAM, ELIZABETH, Leeds Nov 23 Crawford, Leeds  
 WYLES, WILLIAM HENRY, Harrigate Nov 13 Raworth & Co, Harrigate

## Bankruptcy Notices.

London Gazette.—FRIDAY, Oct. 22.

### RECEIVING ORDERS.

BOLTON, THOMAS, Great Grimsby, Commission Agent  
 Great Grimsby Pet Oct 18 Ord Oct 18  
 BARTON, GEORGE, Eusley, Bespoke Tailor Bardsley  
 Pet Oct 18 Ord Oct 18  
 CAPE, RICHARD, jun, Wennington, nr Lancaster, Poultry  
 Breeder Piccadilly Pet Oct 20 Ord Oct 20  
 CLINCHOLD, BERTHEAN STEWART, Salisbury, Tailor Salisbury  
 Pet Oct 18 Ord Oct 18  
 CONWAY, CHARLES FRANCIS, Eastleigh, Southampton,  
 Draper Southampton Pet Oct 18 Ord Oct 18  
 COOK, SAMUEL, Canterbury, Farmer Canterbury Pet Oct  
 18 Ord Oct 18  
 CRAIG, ARTHUR, Sheffield, Pork Butcher Sheffield Pet  
 Oct 18 Ord Oct 18  
 CURTIS, PHILIP JOHN, Ipswich, Registered Plumber Ips-  
 wich Pet Oct 19 Ord Oct 19  
 EDMUNDS, CHARLES, Blaclydch, Glam, Haulier Ponty-  
 pridd Pet Oct 18 Ord Oct 18  
 EDWARDS, A E, Leytonstone, Essex, Greengrocer High  
 Court Pet Oct 14 Ord Oct 18  
 EDWARDS, JAMES, Littlehampton, Greengrocer Brighton  
 Pet Oct 18 Ord Oct 18  
 EVANS, DAVID GRIFFITH, Dowlais, Merthyr Tydfil, Under-  
 taker Merthyr Tydfil Oct 20 Ord Oct 20  
 GARFIELD, EDWARD GEORGE, Pontycymer, Glam, Tailor  
 Cardiff Pet Oct 19 Ord Oct 19  
 GOODYEAR, JOSEPH, Lincoln, Grocer Lincoln Pet Oct 18  
 Ord Oct 18  
 GURNET, WILLIAM JAMES, Shipton Bellinger, Hants, Green-  
 grocer Salisbury Pet Oct 20 Ord Oct 20

HAWES, CHARLES WILLIAM, Ipswich, Licensed Victualler  
 Ipswich Pet Oct 19 Ord Oct 19  
 READ, RICHARD GEORGE, Swansea, Grocer Swansea Pet  
 Oct 19 Ord Oct 19  
 RODGERS, WILLIAM HARRY, Heath Town, Wolverhampton,  
 Dairyman Wolverhampton Pet Oct 18 Ord Oct 18  
 HUGHES, HENRY THOMAS, Pwllheli, Carnarvon, Grocer  
 Portmadoc Pet Oct 16 Ord Oct 16  
 HUTCHINSON, WILLIAM EDWARD, Crews, Smallware Dealer  
 Crews Pet Oct 18 Ord Oct 18  
 IRVING, CHARLES GRAHAM, Cheltenham, Bank Official  
 Pet Oct 19 Ord Oct 19  
 JENKINS, WILLIAM, Nottage, Porthcawl, Glam, Collier,  
 Cardiff Pet Oct 18 Ord Oct 18  
 KERR, WALTER WILLIAM, Sidcup, Kent, Stockbroker  
 Rochester July 20 Ord Oct 18  
 KING, OTOUS, Edith rd, West Kensington, Secretary of a  
 Joint Stock Company High Court Pet Oct 18 Ord  
 Oct 18  
 KNIGHTS, ERNEST EDWARD, Great Yarmouth, Hay Dealer  
 Great Yarmouth Pet Oct 19 Ord Oct 19  
 LAZARNICK, CHARLES, Bow Common ln, Corn Merchant  
 High Court Pet Oct 20 Ord Oct 20  
 LEAVES, THOMAS, Herne Bay, Contractor Canterbury  
 Pet Oct 21 Ord Oct 20  
 LORSTAFF, JOHN COTTON, and ERNEST COTTON LONGSTAFF,  
 Cambridge, Debt Collectors Cambridge Pet Oct 19  
 Ord Oct 19  
 McDONALD, WILLIAM, North Shields, Grocer Newcastle on  
 Tyne Pet Oct 2 Ord Oct 19  
 MAGEE, JOHN, Balsall Heath, Birmingham, Baker Bir-  
 mingham Pet Oct 20 Ord Oct 20  
 MAWER, HARRY, Great Grimsby, Grocer Great Grimsby  
 Pet Oct 19 Ord Oct 19  
 MAWSON, JOHN, Harrigate, Shoemaker York Pet Oct 19  
 Ord Oct 19

MORGAN, WILLIAM, Hordley, nr Ellesmere, Salop, Farmer  
 Wrexham Pet Oct 18 Ord Oct 18  
 MOY, HERBERT WINTER, Twickenham, Licensed Victualler  
 High Court Pet Oct 20 Ord Oct 20  
 NOBLE, HENRY, Bradford, Grocer Bradford Pet Oct 13  
 Ord Oct 18  
 OWEN, DAVID RICHARD, Llanfachraeth, Anglesey, Innkeeper  
 Bangor Pet Oct 18 Ord Oct 18  
 PROBERT, WILLIAM GEORGE, Danygraig, St Thomas,  
 Swansea, Blacksmith Swansea Pet Oct 20 Ord Oct  
 20  
 SAUNDERS, JOSHUA WILSON, Wilneham, Suffolk, Miller  
 Ipswich Pet Oct 18 Ord Oct 18  
 SHAW, THOMAS HENRY, Bradford, Carting Agent Bradford  
 Pet Oct 19 Ord Oct 19  
 SMALL, GILBERT HOWARD, Luton, Commission Agent  
 Luton Pet Oct 19 Ord Oct 19  
 SMITH, SAMUEL EMERSON, Lincoln, Electrical Engineer  
 Lincoln Pet Oct 6 Ord Oct 19  
 STANFORD, WILLIAM, Resolven, nr Neath, Glamorgan, Col-  
 lier Neath and Aberavon Pet Oct 19 Ord Oct 19  
 THOMAS, JANEZ CATHERINE, Cowbridge, Glam, Purveyor of  
 Meat Cardiff Pet Oct 18 Ord Oct 18  
 THOMAS, THOMAS EVAN, Clydach Vale, Glam, Pullyman  
 in Colliery Pontypridd Pet Oct 19 Ord Oct 19  
 TREHMAN, ALBERT EDWARD, Scarborough, Fanny Goods  
 Dealer Scarborough Pet Oct 19 Ord Oct 19  
 TUNSTALL, JOHN ROBERT, Bolton, Draper Bolton Pet Oct  
 18 Ord Oct 18  
 VICARS, H, Barnes, Surrey, Musician High Court Pet  
 July 31 Ord Oct 14  
 WAITE, WILLIAM CHARLES, Treorchy, Glam, Collier Ponty-  
 pridd Pet Oct 20 Ord Oct 20  
 WARBURTON, JAMES WILLIAM, Dean Row, Wilmalaw, Ches-  
 ter, Farmer Manchester Pet Oct 19 Ord Oct 19

# NATIONAL DISCOUNT COMPANY, LIMITED, 35, CORNHILL, LONDON, E.C.

TELEGRAPHIC ADDRESS: NATDIS, LONDON.

ESTABLISHED 1856.

TELEPHONES: {No. 1485 AVENUE.  
 {No. 11945 CENTRAL.

Subscribed Capital, £4,233,325.

Paid-up Capital, £846,665.

Reserve Fund, £420,000.

### DIRECTORS.

EDMUND THEODORE DOXAT, Esq., Chairman.  
 LAWRENCE EDLMANN CHALMERS, Esq.  
 FREDERICK WILLIAM GREEN, Esq.

W. MURRAY GUTHRIE, Esq., Deputy Chairman.  
 F. LEVERTON HARRIS, Esq., M.P.  
 WALTER JAMES HERIOT, Esq.  
 CHARLES DAVID SELIGMAN, Esq.

SIGISMUND F. MENDEL, Esq.  
 JOHN FRANCIS OGILVY, Esq.

Manager:  
 PHILIP HAROLD WADE.

Joint Sub-Managers:

WATKIN W. WILLIAMS

FRANCIS GOLDSCHMIDT.

Bankers: BANK OF ENGLAND; THE UNION OF LONDON AND SMITHS BANK, LIMITED.

Secretary:  
 CHARLES WOOLLEY.

Approved Mercantile Bills Discounted. Loans granted upon Negotiable Securities.  
 Money received on Deposit at Call and Short Notice, and Interest allowed at the Current  
 Market Rates; and for Longer Periods upon Specially Agreed Terms.  
 Investments and Sales of all descriptions of British and Foreign Securities effected. All  
 Communications on this subject to be addressed to the Manager.



Ward, Thomas Thornton, Uttoxeter, Staffs, Builder  
Burton on Trent Pet Oct 19 Ord Oct 19  
Whitmore, Charles Edward, Leicester Leicester Pet  
Oct 19 Ord Oct 19  
Williams, Caroline Jane, Swansea, Licensed Victualler  
Swansea Pet Oct 19 Ord Oct 19

**FIRST MEETINGS.**  
BarnacloUGH, William Edward, Bradford, Warp Twister  
Nov 1 at 11 Off Rec, 12, Duke st, Bradford  
Billingsness, William Robert, Maidstone, Builder Nov 3  
at 11 9, King st, Maidstone  
Bolton, Thomas, Great Grimsby, Commission Agent Oct  
30 at 11.30 Off Rec, St Mary's chmbrs, Great  
Grimsby  
Bretton, George, Barnsley, Bespoke Tailor Nov 1 at  
10.30 Off Rec, 7, Regent st, Barnsley  
Clissold, Bertram Stewart, Salisbury, Tailor Nov 2 at  
1 Off Rec, City chmbrs, Catherine st, Salisbury  
Cook, Tom, Rotherham, Yorks, Milk Dealer Nov 2 at 12  
Off Rec, Figtree ln, Sheffield  
Codd, John William, Woodhall Spa, Lincs, Tailor Nov 4  
at 12 Off Rec, 10, Bank st, Lincoln  
Cowan, Charles Francis, Eastleigh, Southampton, Draper  
Oct 30 at 11 Off Rec, Midland Bank chmbrs, High st, Southampton  
Cooke, William Henry, Headington, Oxford, Farmer Oct 30 at 12 1, 88 Aldgate, Oxford  
Cookson, George, Lytham, Lancs, Coal Merchant Oct 30  
at 11.15 Off Rec, 13, Winkley st, Preston  
Curtis, Philip John, Ipswich, Registered Plumber Nov 2  
at 12 Off Rec, 36, Princes st, Ipswich  
Davies, William, Scourfield, Ystradgynlais, Brecon, Grocer  
Oct 30 at 11 Off Rec, Government bldgs, St Mary's st, Swansea  
Dimock, John Thomas, Clacton on Sea, Pork Butcher  
Nov 12 at 2 Cups Hotel, Colchester  
Eaton, Eric, Ashton under Lyne, Lancs, Electrical Engineer Oct 30 at 12 Off Rec, Byrom st, Manchester  
Edmunds, Charles, Blaenclydach, Glam, Haulier Nov 2  
at 11 Off Rec, Post Office chmbrs, Taft st, Pontypridd  
Edwards, A. E., Hainault rd, Leytonstone, Greengrocer  
Nov 1 at 1 Bankruptcy bldgs, Carey st  
Gates, J. & Co, Coventry, Agents Nov 1 at 12 Off Rec, 8, High st, Coventry  
Ginsberg, Benjamin, Warrington, Fancy Goods Dealer Oct 30 at 11 Off Rec, Byrom st, Manchester  
Goodyear, Joseph, Lincoln, Grocer Nov 4 at 11.30 Off Rec, 10, Bank st, Lincoln  
Goose, Charles Christopher, Ditham, Norfolk, Miller Oct 30 at 12.30 Off Rec, 8, King st, Norwich  
Hawes, Charles William, Ipswich, Licensed Victualler Nov 2 at 2.30 Off Rec, 36, Princes st, Ipswich  
Hutchinson, William Edward, Crews, Smallware Dealer Nov 1 at 3.45 Off Rec, King st, Newcastle, Staffs  
Jenkins, William, Notlage, Porthcawl, Glam, Collier Oct 30 at 12.15 Off Rec, 117, St Mary st, Cardiff  
Knightley, William, Luton, House Decorator Oct 30 at 12 Off Rec, The Parade, Northampton  
King, Oton, Edith rd, West Kensington Nov 1 at 11 Bankruptcy bldgs, Carey st  
Lazearick, Charles, Bow Common ln, Corn Merchant Nov 2 at 12 Bankruptcy bldgs, Carey st  
Mawson, John, Harrogate, Shoemaker Nov 1 at 3 Off Rec, The Red House, Drumcoble pl, York  
Miller, John, Hollinwood, nr Oldham, Coal Dealer Nov 2 at 11.30 Off Rec, Greaves st, Oldham  
Moy, Herbert Winter, Wotton rd, Twickenham, Licensed Victualler Nov 1 at 12 Bankruptcy bldgs, Carey st  
Noble, Henry, Bradford, Grocer Nov 4 at 11 Off Rec, 12, Duke st, Bradford  
Sanderson, William Edward, Marton Moss, Blackpool, Market Gardener Oct 30 at 11 Off Rec, 13, Winkley st, Preston  
Saunders, Joshua Wilson, Wiltshire, Suffolk, Miller Nov 2 at 12.50 Off Rec, 36, Princes st, Ipswich  
Shaw, Thomas Henry, Bradford, Carting Agent Nov 4 at 12 Off Rec, 12, Duke st, Bradford  
Fruty, Harry, Scarborough, Leather Goods Dealer Nov 3 at 4 Off Rec, 48, Westborough, Scarborough  
Silverbirds, Robert William, Malton, Yorks, Engineer Nov 1 at 4 Off Rec, 48, Westborough, Scarborough  
Smith, Samuel Kneeson, Lincoln, Electrical Engineer Nov 4 at 11 Off Rec, 10, Bank st, Lincoln  
Smith, William Ladyman, Widderington, Gt Grimsby, Oct 30 at 11 Off Rec, St Mary's chmbrs, Great Grimsby

Sutcliffe, Arthur, Alfred Sutcliffe, and Fred Sutcliffe, Broklands, Cheshire, Stonemasons Oct 30 at 11.30 Off Rec, Byrom st, Manchester  
Thomas, Thomas Evan, Clydach Vale, Glam, Pulleyman in Colliery Nov 2 at 11.30 Off Rec, Post Office chmbrs, Taft st, Pontypridd  
Taubman, Albert Edward, Scarborough, Fancy Goods Dealer Nov 3 at 4.30 Off Rec, 48, Westborough, Scarborough  
Tunstall, John Robert, Bolton, Draper Nov 1 at 3 19, Exchange st, Bolton  
Vicars, H. Barnes, Musician Nov 1 at 12 Bankruptcy bldgs, Carey st  
Waite, William Charles, Treorchy, Glam, Collier Nov 2 at 12 Off Rec, Post Office chmbrs, Taft st, Pontypridd  
Whitworth, Thomas, Low Fold Farm, Clayton, Yorks, Farmer Oct 30 at 11 Off Rec, 12, Duke st, Bradford

## ADJUDICATIONS.

Bennett, George, Great Sankey, nr Warrington, Moss Litter Merchant Warrington Pet Oct 29 Ord Oct 19  
Bolton, Thomas, Great Grimsby, Commission Agent Great Grimsby Pet Oct 18 Ord Oct 18  
Bretton, George, Barnsley, Yorks, Bespoke Tailor Barnsley Pet Oct 18 Ord Oct 18  
Cape, Richard, jr, Westington, nr Lancaster, Poultry Breeder Preston Pet Oct 29 Ord Oct 20  
Cook, Samuel, St Lawrence Farm, Canterbury, Farmer Canterbury Pet Oct 18 Ord Oct 18  
Cleland, Arthur Charles Stewart, St James' pl High Court Pet Aug 1 Ord Oct 19  
Clissold, Bertram Stewart, Salisbury, Tailor Salisbury Pet Oct 18 Ord Oct 18  
Cowan, Charles Francis, Eastleigh, Southampton, Draper Southampton Pet Oct 18 Ord Oct 18  
Crabb, Arthur, Sheffield, Pork Butcher Sheffield Pet Oct 18 Ord Oct 18  
Curtis, Philip John, Ipswich, Registered Plumber Ipswich Pet Oct 19 Ord Oct 19  
Edmunds, Charles, Blaenclydach, Glam, Haulier Pontypridd Pet Oct 19 Ord Oct 18  
Edwards, James, Littlehampton, Greengrocer Brighton Pet Oct 18 Ord Oct 18  
Evans, David Griffith, Dowlais, Merthyr Tydfil, Undertaker Merthyr Tydfil Pet Oct 20 Ord Oct 20  
Garfield, Edward George, Pontycymer, Glam, Tailor and Outfitter Cardiff Pet Oct 19 Ord Oct 19  
Gates, John, Coventry, Agent Coventry Pet Sept 27 Ord Oct 18  
Goodyear, Joseph, Lincoln, Grocer Lincoln Pet Oct 18 Ord Oct 18  
Gurney, William James, Shipton Bellinger, Hants, Greengrocer Salisbury Pet Oct 23 Ord Oct 20  
Harris, Benjamin, Balsall Heath, Birmingham, Tailor Birmingham Pet Sept 21 Ord Oct 18  
Hawes, Charles William, Ipswich, Licensed Victualler Ipswich Pet Oct 19 Ord Oct 19  
Head, Richard George, Swansea, Grocer Swansea Pet Oct 19 Ord Oct 19  
Hodges, William Harry, Heath Town, Wolverhampton, Dairyman Wolverhampton Pet Oct 18 Ord Oct 18  
Hughes, Henry Thomas, Pwllheli, Carnarvon, Grocer Portmadoc Pet Oct 16 Ord Oct 16  
Hutchinson, William Edward, Crews, Smallware Dealer Crews Pet Oct 18 Ord Oct 18  
Irving, Charles Graham, Cheltenham, Bank Official Cheltenham Pet Oct 19 Ord Oct 19  
Jenkins, William, Notlage, Porthcawl, Collier Cardiff Pet Oct 18 Ord Oct 18  
King, Oton, Edith rd, West Kensington High Court Pet Oct 18 Ord Oct 18  
Knights, Ernest Edward, Gt Yarmouth, Hay Dealer Gt Yarmouth Pet Oct 19 Ord Oct 19  
Lazearick, Charles, Bow Common ln, Corn Merchant High Court Pet Oct 20 Ord Oct 20  
Lewyer, Thomas, Herne Bay, Kent, Contractor Canterbury Pet Oct 30 Ord Oct 20  
Lethbridge, Frederick, Ferbricht rd, Southfields Wandsworth Pet Sept 17 Ord Oct 19  
Longstaff, John Cotton, and Ernest Cotton Longstaff, Cambridge, House Agents Cambridge Pet Oct 19 Ord Oct 19  
Magee, John, Balsall Heath, Birmingham, Baker Birmingham Pet Oct 20 Ord Oct 20  
Mawer, Harry, Gt Grimsby, Grocer Gt Grimsby Pet Oct 19 Ord Oct 19  
Mawson, John, Harrogate, Shoemaker York Pet Oct 19 Ord Oct 19

Morgan, William, Hordley Mills, Hordley, nr Ellesmere, Salop, Farmer Wrexham Pet Oct 16 Ord Oct 16  
Nicholson, Hugh Godfrey, Salisbury house, London wall, Moto-Car Manufacturer High Court Pet May 26 Ord Oct 18  
Noble, Henry, Bradford, Grocer Bradford Pet Oct 13 Ord Oct 19  
Owen, David Richard, Llanfachraeth, Anglesey, Innkeeper Bangor Pet Oct 18 Ord Oct 18  
Probert, William George, Danygraig, St Thomas, Swansea, Glam, Blacksmith Swansea Pet Oct 20 Ord Oct 20  
Raymond, Henry Frank, Leinster sq, Westbourne grove, High Court Pet Sept 17 Ord Oct 19  
Saunders, Joshua Wilson, Wiltshire, Suffolk, Miller Ipswich Pet Oct 18 Ord Oct 18  
Shaw, Thomas Henry, Bradford, Carting Agent Bradford Pet Oct 19 Ord Oct 19  
Spiers, Alexander Donaldson, Walbrook, Partnership Agent High Court Pet Aug 23 Ord Oct 19  
Stanford, William, Resolved, nr Neath, Glam, Collier Neath and Aberystwyth Pet Oct 19 Ord Oct 19  
Stockham, William Fyfe, Skewen, Glam, Baker Neath Pet Oct 1 Ord Oct 18  
Thomas, Janet Catherine, Cowbridge, Glam, Purveyor of Meat Cardiff Pet Oct 18 Ord Oct 18  
Thomas, Thomas Evan, Clydach Vale, Glam, Pulleyman in Colliery Pontypridd Pet Oct 19 Ord Oct 19  
Tidman, Charles Owen, Newport, Mon, Grocer Newport, Mon Pet Oct 4 Ord Oct 18  
Treuman, Albert Edward, Scarborough, Fancy Goods Dealer Scarborough Pet Oct 19 Ord Oct 19  
Tunstall, John Robert, Bolton, Draper Bolton Pet Oct 18 Ord Oct 18  
Waite, William Charles, Treorchy, Glam, Collier Pontypridd Pet Oct 20 Ord Oct 20  
Warrington, James William, Wilmsham, Chester, Farmer Manchester Pet Oct 19 Ord Oct 19  
Ward, Thomas Thornton, Uttoxeter, Staffs, Builder Burton on Trent Pet Oct 19 Ord Oct 19  
Whitmore, Charles Edward, Leicester Leicester Pet Oct 19 Ord Oct 19  
Williams, Caroline Jane, Swansea, Licensed Victualler Swansea Pet Oct 19 Ord Oct 19

## ADJUDICATION ANNULLED.

Mann, Arthur, Kippax, York, Cycle Factor Wakefield Adjud Sept 20, 1909 Annul Oct 12, 1909

## London Gazette.—Tuesday, Oct 26.

## RECEIVING ORDERS.

Acron, James, Middleburgh, Billiard Saloon Madage Middleburgh Pet Oct 22 Ord Oct 22  
Ash, Percy Dempster, Landerocst rd, Tulse Hill, Clerk High Court Pet Oct 23 Ord Oct 23  
Barayan, Mirhan Garabet, Boscombe, Hants Poo's Pet Sept 20 Ord Oct 4  
Back, James, Brook, Kent, Farmer Canterbury Pet Oct 21 Ord Oct 21  
Barker, Jesse Jahn, Bradford, Licensed Victualler Bradford Pet Oct 21 Ord Oct 21  
Booth, James Henry, Cockermouth, Cumberland Cocker-mouth Pet Oct 22 Ord Oct 22  
Bradley, Francis Ernest, Stratford, nr Manchester, Battister at Law Manchester Pet Oct 21 Ord Oct 21  
Cave, Rowland Cave Brown, St Auvergne, Cheltenham Cheltenham Pet Feb 23 Ord May 22  
Chose, Mary Mirella, Plymouth, Dairy Keeper Plymouth Pet Oct 22 Ord Oct 22  
De Montmorency, William Geoffrey Bouchard, Viscount Mountmorres, Pall mall High Court Pet Oct 21 Ord Oct 21  
Dowdle, Edward Cornelius, Swansea, Baker Swansea Pet Oct 21 Ord Oct 21  
Greenwood, Herbert, Bradford, Licensed Victualler Bradford Pet Oct 22 Ord Oct 22  
Gilbert, Horace Walter, and Herbert Green, Boston, Lincs, Tailors Boston Pet Oct 20 Ord Oct 20  
Goodman, Ernest, Coventry, Electric Engineer Coventry Pet Oct 23 Ord Oct 22  
Higgins, Walter, Shepherd's Bush rd, Provision Dealer High Court Pet Oct 21 Ord Oct 21  
Hood, Albert Robert, Eastbourne Eastbourne Pet Oct 8 Ord Oct 23  
Hovew, Robert Oliver, North Walsham, Norfolk, Grocer Norwich Pet Oct 6 Ord Oct 22  
Hurst, Francis Caroline, Brighton, Milliner Brighton Pet Oct 22 Ord Oct 22  
Jones, John Murray, Aigburth, Liverpool, Coachbuilder Liverpool Pet Oct 23 Ord Oct 23

# THE LICENSEES INSURANCE CORPORATION AND GUARANTEE FUND, LIMITED.

24, MOORGATE STREET, LONDON, E.C.  
ESTABLISHED IN 1890.

EXCLUSIVE BUSINESS—LICENSED PROPERTY.

X

## SPECIALISTS IN ALL LICENSING MATTERS.

Upwards of 650 Appeals to Quarter Sessions have been conducted under the direction and supervision of the Corporation.

X

Suitable Insurance Clauses for Inserting in Leases or Mortgages of Licensed Property. Settled by Counsel, will be sent application.

JONES, PERCY HAROLD, Shanklin, I of W, Wine Merchant Newport Pet Oct 21 Ord Oct 21  
 LORD, JOHN HERBERT, Ashford, Kent Canterbury Pet Oct 22 Ord Oct 22  
 MAXWELL, GEORGE, and CHRISTOPHER THOMAS GRIEVESON, MANNERS, West Hartlepool, House Agents Sunderland Pet Oct 21 Ord Oct 21  
 MEDCALFE, CHARLES EDWARD, Birmingham, Hydraulic Engineer Birmingham Pet Sept 10 Ord Oct 21  
 NORRIS, FRANK, Kingston upon Hull, Butcher Kingston upon Hull Pet Oct 21 Ord Oct 21  
 OGDEN, JOHN WILLIAM, Chesterfield, Confectioner Chesterfield Pet Oct 7 Ord Oct 21  
 PICKERING, WILLIAM, Newcastle on Tyne, Stationer Newcastle on Tyne Pet Oct 9 Ord Oct 22  
 ROBERTS, RICHARD GRIFFITH, Hatton, Derby, Coal Merchant Burton on Trent Pet Oct 22 Ord Oct 22  
 ROBERTS, WILLIAM, Gore, Camrose, Pembroke, Farmer Pembroke Dock Pet Oct 22 Ord Oct 22  
 SCHILLER, HELEN ANNIE, Bournemouth, Boarding House Proprietor Bournemouth Pet Oct 22 Ord Oct 22  
 SCHOLZ, WILLIAM HERMANN, The Grove, Hammersmith, Dramatic Author High Court Pet Sept 28 Ord Oct 21  
 SOULSBY, FRANK, Kingston upon Hull, Timber Merchant Kingston upon Hull Pet Oct 22 Ord Oct 22  
 VINCENT, JOHN, Long in High Court Pet Oct 4 Ord Oct 21  
 WALLWORK, JAMES HENRY, Ashton under Lyne, Insurance Clerk Ashton under Lyne Pet Oct 23 Ord Oct 23  
 WATKINS, JAMES HERBERT, Hopwood, Heywood, Lancs, Grocer Bolton Pet Oct 21 Ord Oct 21  
 WEEKS, GEORGE ROWLAND, Palmer's Green, Builder Edmonton Pet Oct 22 Ord Oct 22  
 WILDMAN, WILLIAM, Blandford mews, Baker st, Builder High Court Pet Oct 21 Ord Oct 21  
 WOODALL, HERBERT, Bury, Draper, Poplar, Draper Bury Pet Oct 23 Ord Oct 23  
 WOOLNER & Co, Copthall chimneys High Court Pet Oct 7 Ord Oct 21

## FIRST MEETINGS.

BARAYAN, MIRHAN GABARAT, Boscombe, Hants Nov 3 at 12 Off Rec, Midland Bank chimbrs, High st, Southampton  
 BARKER, JEREMIAH, Bradford, Licensed Victualler Nov 4 at 3 Off Rec, 12, Duke st, Bradford  
 BECKWITH, JOHN, Hartov, Builder Nov 3 at 3 14, Bedford row  
 CAPE, RICHARD, jun, Wernington, Dr Lancaster, Poultry Breeder Pet Nov 4 at 11 Off Rec, 13, Winckley st, Preston  
 CRAIG, ARTHUR, Sheffield, Pork Butcher Pet Nov 4 at 12 Off Rec, Figs Tree in, Sheffield  
 DE MONTMERCY, WILLIAM GRIFFITH BOUCHARD (Vincourt Mountmorres), Pall mall Nov 5 at 12 Bankruptcy bldg, Carey st  
 DE RIDDER, ERIC ROYLE, Leicester sq, Hyde Park Nov 5 at 11 Bankruptcy bldg, Carey st  
 EDWARDS, JAMES, Littlehampton, Greengrocer Nov 4 at 11 30 Off Rec, 4, Pavilion bldgs, Brighton  
 EVANS, DAVID GRIFFITH, Downside, Merthyr Tydfil, Undertaker Nov 4 at 12 Off Rec, County Court, Townhall, Merthyr Tydfil  
 FLETCHER, FREDERICK WILLIAM, Weston super Mare, Cabinet Maker Nov 3 at 11 30 Off Rec, 26, Baldwin st, Bristol  
 GREENWOOD, HERBERT, Bradford, Licensed Victualler Nov 5 at 11 Off Rec, 12, Duke st, Bradford  
 GUNNEY, WILLIAM JAMES, Shipton, Bellinot, Hants, Greengrocer Nov 4 at 1 Off Rec, City chimbrs, Catherine st, Salisbury  
 HIGGINS, WALTER, Shepherd's Bush rd, Provision Dealer Nov 3 at 12 Bankruptcy bldg, Carey st  
 HURST, FRANCES CAROLINE, Brighton, Milliner Nov 4 at 12 Off Rec, 4, Pavilion bldgs, Brighton  
 JONES, JOHN PHILIP, Wattsall, Cross Keys, Mon. Minor Nov 3 at 11 Off Rec, 114, Commercial st, Newport, Mon  
 KNIGHTS, ERNEST EDWARD, Great Yarmouth, Hay Dealer Nov 3 at 12 30 Off Rec, 3, King st, Norwich  
 LIVANOS, SOPHOCLES, Liverpool, Cotton Seed Salesman Nov 12 at 11 Off Rec, 35, Victoria st, Liverpool  
 MAWER, HARRY, Great Grimby, Grocer Nov 3 at 11 Off Rec, St. Mary's chimbrs, Great Grimby  
 MORGAN, WILLIAM, Hordley Mills, Hordley, nr Ellesmere, Salop, Farmer Nov 5 at 4 30 Bridgegate Hotel, Ellesmere  
 MORRIS, HENRY, Smethwick, Staffs, Grocer Nov 5 at 11 30 Ruckin chimbrs, 191, Corporation st, Birmingham  
 PROBERT, WILLIAM GEORGE, Darnley, St Thomas, Swansea, Blacksmith Nov 3 at 11 30 Off Rec, Government bldgs, St. Mary's st, Swansea

SARINE, J F, Granger rd, Ealing Nov 3 at 12 14, Bedford row  
 SCHILLER, HELEN ANNIE, Bournemouth, Boarding house Proprietor Nov 3 at 3 30 Arcade chimbrs (first floor), Bournemouth  
 SCHOLZ, WILLIAM HERMANN, The Grove, Hammersmith, Dramatic Author Nov 3 at 12 Bankruptcy bldgs, Carey st  
 SMALL, GILBERT HOWARD, Luton, Commission Agent Nov 3 at 11 Off Rec, The Parade, Northampton  
 STANFORD, WILLIAM RESOLVE, nr Neath, Glam, Collier Nov 3 at 11 Off Rec, Government bldgs, St Mary's st, Swansea  
 TREVOR, RICHARD, and ERNEST TREVOR, Manchester, Cab Proprietors Nov 3 at 3 Off Rec, Byrom st, Manchester  
 VINCENT, JOHN, Long lane Nov 4 at 11 Bankruptcy bldgs, Carey st  
 WALKER, JOSEPH, Tiviot Dale, Stockport, Licensed Victualler Nov 4 at 11 Off Rec, Castle chimbrs, 6, Vernon st, Stockport  
 WARBURTON JAMES WILLIAM, Wilmslow, Cheshire, Farmer Nov 3 at 2 30 Off Rec, Byrom st, Manchester  
 WATKINS, JAMES HERBERT, Hopwood, Heywood, Lancs, Grocer Nov 4 at 3 10, Exchange st, Bolton  
 WESTGATE, WALTER, Balsham, Cambridge, Veterinary Surgeon Nov 3 at 12 Off Rec, 5, Petty Cury, Cambridge  
 WEALEY, SAMUEL, Chesterfield, Draper Nov 12 at 11 30 Angel Hotel, Chesterfield  
 WILDMAN, WILLIAM, Blandford mews, Baker st, Builder Nov 3 at 11 Bankruptcy bldgs, Carey st, London  
 WILLIAMS, CAROLINE JANE, Swansea, Licensed Victualler Nov 4 at 11 Off Rec, Government bldgs, St Mary's st, Swansea  
 WOOLNER & Co, Copthall chimbrs Nov 4 at 12 Bankruptcy bldgs, Carey st

## ADJUDICATIONS.

ACON, JAMES, Middlesbrough, Billiard Saloon Manager Middlesbrough Pet Oct 22 Ord Oct 22  
 ASH, FRANK DENISTON, Latetwood rd, Tulse Hill, Clerk High Court Pet Oct 23 Ord Oct 23  
 BARAYAN, MIRHAN GABARAT, Boscombe, Hants Poole Pet Sept 20 Ord Oct 22  
 BACK, JAMES, Brook, Kent, Farmer Canterbury Pet Oct 21 Ord Oct 21  
 BARKER, JEREMIAH, Bradford, Licensed Victualler Bradford Pet Oct 21 Ord Oct 21  
 BOOTH, JAMES HENRY, Cockermouth, Cumberland Cockermouth Pet Oct 22 Ord Oct 22  
 BOYD, DANIEL MORRISON, Earl's Court sq, High Court Pet Aug 25 Ord Oct 23  
 CROSS, MARY MISSELL, Plymouth, Dairy House Keeper Plymouth Pet Oct 22 Ord Oct 22  
 DOWDLE, EDWARD CORNELIUS, Swansea, Baker Swansea Pet Oct 21 Ord Oct 21  
 FLETCHER, FREDERICK WILLIAM, Weston super Mare, Cabinet Maker Brilgwater Pet Oct 15 Ord Oct 23  
 GARRON, GEORGE, Colchester, Farmer Colchester Pet June 26 Ord Oct 21  
 GILBERT, HORACE WALTER, and HERBERT GREEN, Boston, Lincs, Tailors Boston Pet Oct 30 Ord Oct 30  
 GOODMAN, ERNEST, Coventry, Electrical Engineer Coventry Pet Oct 22 Ord Oct 22  
 GREENWOOD, HERBERT, Bradford, Licensed Victualler Bradford Pet Oct 22 Ord Oct 22  
 GRUNTWAG, BENJAMIN GOLDBERG, and ALEXANDER JONAS MORTON, Budge row, Builders High Court Pet Sept 9 Ord Oct 22  
 HIGGINS, WALTER, S shepherds Bush rd, Provision Dealer High Court Pet Oct 21 Ord Oct 21  
 HURST, FRANCES CAROLINE, Brighton, Milliner Brighton Pet Oct 22 Ord Oct 22  
 JONES, JOHN MURRAY, Liverpool, Coach Builder Liverpool Pet Oct 23 Ord Oct 23  
 JONES, PERCY HAROLD, Shanklin, I of W, Wine Merchant Newport Pet Oct 21 Ord Oct 21  
 LEWIS, EDWARD WILLIAM, JOHN CLEMENT PHILLIPS, and HENRY DAVES HARROD, Gray's inn rd High Court Pet Aug 15 Ord Oct 20  
 LEWIS, WALTER, Chigwell, Essex High Court Pet Sept 10 Ord Oct 22  
 LEWIS, WALTER JAMES, Bristol, Grocer Bristol Pet Oct 12 Ord Oct 21  
 LIVANOS, SOPHOCLES, Liverpool, Cotton Seed Salesman Liverpool Pet Sept 11 Ord Oct 20  
 LORD, JOHN HERBERT, Ashford, Kent Canterbury Pet Oct 22 Ord Oct 22  
 MANNERS, GEORGE, and CHRISTOPHER THOMAS GRIEVESON, West Hartlepool, House and Estate Agents Sunderland Pet Oct 21 Ord Oct 21

NORRIS, FRANK, Kingston upon Hull, Butcher Kingston upon Hull Pet Oct 21 Ord Oct 21  
 OGDEN, JOHN WILLIAM, Knifeamith Gate, Chesterfield Confectioner Chesterfield Pet Oct 7 Ord Oct 23  
 PAUL, CHARLES ALEXANDER, Horley, Surrey, Corn Merchant Croydon Pet July 23 Ord Oct 20  
 ROBERTS, RICHARD GRIFFITH, Hatton, Derby, Coal Merchant Burton on Trent Pet Oct 22 Ord Oct 22  
 ROBERTS, WILLIAM, Gore, Camrose, Pembroke, Farmer Pembroke Dock Pet Oct 22 Ord Oct 22  
 ROBERTSON, ROBERT STEELE, Sutherland av, Maida Vale, Builder High Court Pet Oct 9 Ord Oct 21  
 SMALL, GILBERT HOWARD, Luton, Commission Agent Luton Pet Oct 19 Ord Oct 23  
 SOMMERSET, HENRY FITZROY EDWARD, St Ermins Hotel, Westminster High Court Pet Aug 6 Ord Oct 21  
 SOULSBY, FRANK, Kingston upon Hull, Timber Merchant Kingston upon Hull Pet Oct 22 Ord Oct 22  
 STORY, FORBES LUGARD, Petham rd, West Kensington High Court Pet Oct 15 Ord Oct 21  
 TALBOT, ROBERT RANDALL, Dorchester, Dorset Dorchester Pet Oct 1 Ord Oct 22  
 WALLWORK, JAMES HENRY, Ashton under Lyne, Lancs, Insurance Clerk Ashton under Lyne Pet Oct 23 Ord Oct 23  
 WATKINS, JAMES HERBERT, Hopwood, Heywood, Lancs, Grocer Bolton Pet Oct 21 Ord Oct 21  
 WEEKS, GEORGE ROWLAND, Palm's Green, Builder Edmonton Pet Oct 22 Ord Oct 22

## THE

# NORTHERN

## ASSURANCE COMPANY LIMITED.

ESTABLISHED 1836.

**FIRE. LIFE.**  
**BURGLARY. ACCIDENT.**  
**EMPLOYERS' LIABILITY.**

Accumulated Funds (1908) £7,198,000.

LONDON OFFICE:—1, Moorgate Street.

READY 1st NOVEMBER.

66th Year of Publication.

## THE

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ALMANAC,

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FOR

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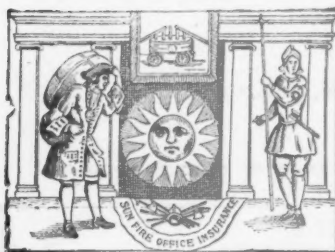
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## FIRE DAMAGE.

RESULTANT LOSS OF RENT AND PROFITS.

EMPLOYERS' LIABILITY and PERSONAL ACCIDENT,  
 WORKMEN'S COMPENSATION, SICKNESS and DISEASE,  
 including ACCIDENTS TO FIDELITY GUARANTEE,  
 DOMESTIC SERVANTS. BURGLARY.

Law Courts Branch: 40, CHANCERY LANE, W.C.

A. W. COUSINS, District Manager.



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